Bombay Gazette.

PUBLISHED TWICE A WEEK—ON WEDNESDAY AND SATURDAY MORNING—PRICE RUPEES THIRTEEN PER QUARTER.

VOL. XLVI.] WEDNESDAY, NOVEMBER 11, 1835. [No. 2,534.

ADVERTISEMENT.

THE Supreme Court of Judicature at Bombay having granted letters of administration of the Goods Chattels rights and credits, of ROBERT MANSFIELD ESQUIRE, late a Major in the service of the East India Company on their Bombay Establishment deceased, to WILLIAM FENWICK ESQUIRE, as the Registrar of the said Court limited to the collection of assets within the Jurisdiction of the said Court and to the payment of the debts and otherwise protecting the property of the deceased, all persons concerned therein, are hereby apprized thereof,—Dated this 6th day of November, 1835.

H. E. SOUTHOUSE,
Proctor.

ADVERTISEMENT.

APPLICATION hath been made to the Supreme Court of Judicature at Bombay, that Letters of Administration, in the Goods of D. I. CANNAN and C. F. F. POTTINGER, severally deceased, and late Lieutenants in the Military Service of the East India Company, on their Bombay Establishment, may be granted to WILLIAM FENWICK Esquire, Registrar of the said Court; all persons concerned therein, are hereby apprized thereof.—Dated 4th November, 1835.

ADVERTISEMENT.

SEALED TENDERS, (post paid) will be received by the Acting Quarter Master of the 6th Royal Regiment, until the 30th of November, to supply the following Articles for the use of the Regiment (at Colabah), for twelve months from 1st January 1836.

Green Tea, per lb.
Black do. do.
Coffee, do.
Sugar, per Maund.

The above articles to be of good quality, and the Tenders to be accompanied by samples.

The articles to be delievered at the Head Quarters of the Regiment at Colabah, free of all additional expense or charge whatever, and to be at the risk of the Contractor until he receive a receipt from the Quarter Master, and all supplies condemned by a Committee of three Officers to be at the risk of, and replaced by the Contractor.

J. G. WILSON, Lieut.
Act. Qr. Master. 6th Royal Regt.

Camp Deesa, 31st Oct. 1835.

NOW landing from the Portuguese Brig Saudade, and on Sale at the Godowns of the undersigned—Lisbon and Tinto Wines, of very superior quality, in Pipes, halves, quarters, and fifths. Annis, in Carboys.

Price moderate—Terms, Cash.

THOMAS JEFFRIES AND CO.
Nesbit Lane, 11th Nov., 1835.

EDULJEE CURSETJEE'S SONS, will sell by Public auction on Tuesday the 17th Instant, at a Godown opposite their Rooms, 25 Pipes of Columbo Arrack, just imported from Malabar.

Conditions will be made known at the time of sale.

Bombay, 11th November, 1835.

AGRA BANK.

BILLS on the above Bank will be drawn for small amounts, to suit Shareholders, on application to

DIROM, CARTER AND CO.
Agents.

Bombay, 11th Nov., 1835.

BILLS ON LONDON.

A FEW Bills drawn and guaranteed by the Royal Bank of Scotland, at 30 days sight, on COUTTS AND CO. of London, are for sale at the office of the undersigned, in sets of £ 150, 300, and 400, at the exchange of 1 | 10½ per Bombay Rupee; and £ 500 and upwards, at the exchange of 1 | 11 per Rupee. From parties at out-stations, Remittances on the Civil or Military Pay Offices of Bombay, will be received in payment thereof.

RITCHIE, STEUART AND Co.
Bombay, 11th Nov., 1835.

NOTICE.

THIS day Wednesday, the 11th Inst., at 11 A. M. Messrs. FRITH, BOMANJEE AND Co., will submit for sale by public Auction, at their Rooms, a variety of Property, consisting of Silver Plate—Handsome Varnished Prints—Tin Boxes of Barley Sugar—Sundry Articles of Queen's Ware—a great variety of Household Furniture, several cases of Thick Plate Glass, &c. &c. &c.

AT NOON.

Will be put up a recently imported Dark Grey Arab Colt—An English built Stanhope by Hall, Long Acre, a Buggy with cape Horse and several serviceable Horses—At 1 P. M. about 100 Hams, and at 4 P. M. several Double and Single poled Tents will be sold on the Esplanade north of the Church Gate.

Nesbit Lane, 11th Nov., 1835.

DESTOURNELL CO'S. CLARET.

THERE will be sold by Public Auction, this day, at 1 o'Clock precisely, by Messrs. FRITH, BOMANJEE and CO., at their Rooms, 60 Cases of one dozen each, quart bottles, and 10 cases of 2 dozens each, Pint bottles, of this highly esteemed Claret, commissioned by the Byculla Club direct from the Proprietor, and quality approved of, but being rejected by the Club on account of the price, is now thus offered for public sale, for the account of whom it may concern. Sample Bottles may be had at the rate of 25 Rs. per dozen.

Bombay, 11th Nov., 1835.

ESTATE AND MANSION OF "BOHEMIA" SITUATED ON THE MAHABULESHWAR HILLS.

MESSRS. FRITH, BOMANJEE AND Co. beg to notifiy to the Public, that unless they are able to dispose of the above property belonging to Mr. NEWNHAM, on or before Monday, the 23rd of November, they will put up the same for sale by Public Auction at their Rooms, at Noon of that day, when the Estate will at once be sold off without reserve, to the highest bidder. The Mansion is commodious and in good repair, and was recently in the occupation of the Right Hon'ble the Governor—The grounds, are extensive and delightfully situated in the most pleasant and romantic part of the Hills.

Particulars as to Terms of sale, and in other respects regarding the property, may be known on application to Messrs. FRITH, BOMANJEE AND Co.

ON SALE,—At the Godowns of Messrs. FORBES & Co., a small quantity of highly flavored Laroze Claret, vintage 1827, in three dozen cases, by "LaMarie," from Bordeaux, from Messrs. W. and D. JOHNSTON—Price Rs. 60 per Case.

Bombay, 11th November, 1835.

BILLS ON ENGLAND.

ON sale at Messrs. DIROM, CARTER and CO'S. Office, at 1 | 11, 30 days' sight.

Rampart Row, 11th November, 1835.

ON SALE.—At the Godowns of Messrs. FORBES and Co., Sherry in Wood from the following Houses, viz.

Messrs. Rusken, Telford,
and Co..... at Rs. 500 per butt.
Duff and Legh.... at Rs. 350 perhhd.

Bombay, 11th November, 1835.

FOR SALE.

A Superior Arab Horse, newly imported from Bussorah.
Enquire of Messrs. BECK AND Co.

FOR SALE.—Respondentia Bonds, each..... Rs. 1
Ships Articles..... „ 1
Policies of Insurance..... qrs. 2
Bills of Exchange, per set..... „ 2
Interest Bonds..... „ 2
Bills of Lading..... „ 2
Powers of Attorney, each..... „ 2

☞ All Orders for Letter Press, and Copper Plate Printing, will be punctually attended to.

Gazette Office, 11th November, 1835.

NEW
Calcutta Laudable Society,

INSTITUTED ON THE 1ST JANUARY, 1835,
BY TRANSFER FROM THE
Seventh Calcutta Laudable Society.
(the first of the series instituted on the 1st of Jan. 1795.)
AND INCORPORATED WITH THE
THIRTEENTH
Supplementary Laudable Society.
ON THE 1ST JULY, 1835.

DIRECTORS:

T. E. M. TURTON, Esq.	Baboo DWARKANAUTH TAGORE.
S. H. COCKERELL, Esq.	T. HOLROYD, Esq.
S. HARDING, Esq.	C. B. GREENLAW, Esq.
Capt. J. W. J. OUSELEY.	and
W. BRUCE, Esq.	W. H. TWENTYMAN, ESQ.

The object of this Society is to secure a certain Provision at the lowest possible rate; the value of each Share at 6,000 Rupees is, on an equal return for the Premiums paid which would have resulted from the lately projected Government Insurance Office; whilst the extremely economical scale of management in the New Laudable Society, less than 1,2 | 3 per Cent. upon the Annual Premium, enables the Directors to look forward with confidence to a considerable Surplus. They have the authority of Mr. CURNIN, that with a fair Share of the business of the Public, the rates of Insurance in the New Laudable Society, will yield, on an average, upwards of Sa. Rs. 8,000 per Share. Whatever it may be it is at present proposed to divide, the Surplus amongst the Survivors in equal proportion to the Premium paid by them respectively.—Should the shares be continued at Sa. Rs. 6,000, and the out-turn yield, Sa. Rs. 8,000, the Society will divide amongst its surviving Members, on each term of five years, the whole of the Surplus,—being equivalent to one-fourth of the total Premium subscribed. Successive accumulations will enable the Insurer to discontinue a proportionate number of Shares; thus combining the two important functions of an Insurance Society and a Savings' Bank, upon a considerable scale. In Insurances for securing Marriage Settlements, and for other similar objects, the advantages of this system are obvious.

Hence, the above Society is strictly one of mutual Insurance, in which there is no division of interests amongst the parties concerned; consequently, there being no Proprietors distinct, from the Assured, who are at once Proprietors, Assurers and Assured, the Society stands independent of the control of individuals in the character of Patrons, Presidents, Directors, &c. chosen by a body of Proprietors, not necessarily Assured in the Society, and deriving profit from the Subscriptions of the Assured.

Half yearly Meetings of the Assured are held, to which the accounts of the Society are submitted.

STATE OF THE SOCIETY
On the 1st August, 1835.

Lives Insured 481 } on { Shares 1258, averaging 2 3 | 5

per Life, or Sa. Rs. 15,600 at Sa. Rs. 6000 per Share.

FUNDS.

SICCA RUPEES 4,30,000:

(Exclusive of Sa. Rs. 4000 paid on each lapsed Share, since 1st January last), invested in Government Securities and deposit of Government and Bank Stock.

The lapses during the first half year amounted to 1, 2 | 5 per Cent. or 2, 4 | 5 per Cent per annum.

Present value of lapsed Shares, Sa. Rs. 18,288 per Share, over and above the 4000 Rs. paid on each Share.

Insurances taken from ¼ to 10 Shares on one Life.

Application for Copies of the Rules and Regulations of the Society.—Blank Forms for Life Insurance and Admission to the Society,—to be made to the Secretary.

By Order of the Directors,
J. CULLEN, *Secretary.*

TO LET—A house in Rampart row.—Apply to Messrs, FORBES AND CO.

Bombay, 11th November, 1835.

THE NEW BOMBAY DIRECTORY FOR 1836.

To be published positively the first week in January
CONTAINING.

BESIDES the usual local matter, including the Civil, Military, Medical, Ecclesiastical and Indian Navy Lists, with the rules, Regulations, and Pay Tables, belonging to each, derived chiefly from official sources: a great variety of Statistical information of an interesting nature, carefully selected and methodically arranged, either in an historical or tabular form, together with a Map of the Bombay Territory, and Lithographed drawings of the principal Edifices on the Island.

At the same time with be published, the Asiatic Calendar for the ensuing year, which, in addition to the customary Tabular Registers, will contain short notices of the Native Holidays, the different Indian Eras, Epochs and Cycles, with a description of the ceremonies attendant on their births, marriages and deaths.

N. B. Both publications to be printed on English Paper, and applications for either to be made to Mr. MALVERY at the Circulating Library in Church Lane, who will attend to all instructions given him, and who is authorized to receive for the former Rupees six, and for the latter rupees two, per copy, on delivery.

Price Current and Mercantile Register Office, Colaba, the 9th November, 1835.

FIRST CALCUTTA LOTTERY FOR 1836.

TICKETS and shares in the above Lottery are for Sale by BYRAMJEE NESSERVANJEE DANTRA, apply at the Office of Messrs. DIROM CARTER AND Co.

Whole Tickets at Rupees 113 each.
Half ditto..... 57 „
Quarter ditto..... 28-2 „
One eighth ditto..... 14-2 „

TERMS—CASH.

Gentlemen at outstations are requested to include the amount of Postage in their Remittances.

FIRST CALCUTTA LOTTERY FOR 1836.

TICKETS and shares in the above Lottery are for sale at FROMMURZ SORABJEE, opposite to the General Post Office, at the following prices, viz:—

Whole Tickets at Rupees 115 each
Half.. do.. " .... do. 58 "
Quarter do.. " .... do. 29 "
One eighth do. ".. do. 15 "

TERMS, CASH.

Bombay, 11th November, 1835.

PROSPECTUS.

TO be Published on the 1st of January (On English Paper and good Type) THE BOMBAY CALENDAR AND DIRECTORY, for 1836, Containing a Historical and Topographical Sketch of the Island of Bombay and its more immediate dependencies—(accompanied by a Map); The Army List, Divisional, Brigade and Garrison Staff, the Medical Establishment, the Civil List, the Home Establishment of the Indian Government, the Ecclesiastical Establishment of the Churches of England and Scotland in India, the Indian Naval List, a List of H. H. the Nizam's Army, a List of the European Inhabitants of the Island of Bombay, Marryat's Code of Signals, with a variety of other matter, which has not hitherto appeared in any similar publication at this Presidency, the particulars of which, will be more fully given, as soon as a Table of Contents to the proposed Calendar is prepared. As only a limited number of copies will be struck off, Subscribers are requested to send in their names to the Gazette office, where copies *five Rupees each*, will be delivered upon Publication.

Gazette Office, 11th Nov., 1835.

PASSAGE TO LONDON.

BY the splendid river-built Ships, both 650 tons Burthen,

"THE CARNATIC,"
JOHN BRODIE, Commander, and
"THE MALABAR,"
WILLIAM TUCKER, Commander.

The Carnatic is daily expected here, and will be quickly despatched from this.

The Malabar is expected here in this month, and will be despatched about the end of December.

The accommodations of these ships are very spacious and lofty, and both are quite new, now on their second voyage. Both vessels carry Surgeons. Apply to ADAM, SKINNER AND Co. where plans of the accommodations may be seen.

Daly's Buildings, 11th Nov., 1835.

PASSAGE TO LONDON CALLING ON THE MALABAR COAST, AND AT THE CAPE.

THE fine teak Ship BOYNE, of 650 tons, G. RICHARDSON, Commander, carries a Surgeon, and will be dispatched on the 15th instant.—Apply to Messrs. FORBES AND CO., of whom plans of the cabins may be had.

Bombay, 11th Nov., 1835.

FOR FREIGHT OR PASSAGE TO LONDON, AND CAPE OF GOOD HOPE.

THE LADY FEVERSHAM, 450 Tons, G. WEBSTER, Commander, will be dispatched early in November, calling at Tellicherry and Cannanore, carries a Surgeon—Apply to Captain WEBSTER, on board, or at Messrs. DIROM, CARTER and Co's. Office, where plans of the Cabins may be had.

Bombay, 11th Nov., 1835.

FOR PASSAGE TO ENGLAND.

THE HERO OF MALOWN, 500 Tons, will sail on the 1st December touching at the Cape of Good Hope, and calling at Cork for orders. Carries a Surgeon. Apply to Captain GRUNDY on board, or at Messrs. DIROM, CARTER AND CO'S. office, where plans of the accommodations may be had.

Bombay, 11th November, 1835.

FOR FREIGHT AND PASSAGE TO LONDON.

THE "MARQUIS OF HASTINGS", JOHN CLARKSON, Commander, expected here in all November, and will be dispatched on 1st January—carries a Surgeon.—Plans of her accommodation may be had at the Office of Messrs. McGREGOR, BROWNRIGG AND CO.

Bombay, 11th Nov., 1835.

FOR FREIGHT OR PASSAGE TO CALCUTTA

THE fine New Ship DAUNTLESS, J. PINDER, Commander, 432 Tons register, sails fast, and will be despatched immediately. Apply to

EDMOND, BIBBY AND CO.

Bombay, 11th November, 1835.

FOR FREIGHT OR PASSAGE TO MADRAS.

THE British Ship ANNANDALE, 350 Tons, J. R. HILL Commander, will sail on the 12th instant.

Apply to Messrs. FERGUSON, TURNER AND Co.

Bombay, 11th Nov., 1835.

CORRESPONDENCE.

COL KENNEDY'S TREATISE ON MILITARY LAW.

TO THE EDITOR OF THE BOMBAY GAZETTE.

SIR,—As you have inserted in the last Gazette, Major Buckley's "Brief Remarks on Colonel Vans Kennedy's Treatise on the principles and practice of Military Law," you will, I may suppose, have no objection to give a place in the same newspaper to the following letter, which I addressed on last Thursday to the Editor of the "Englishman", Calcutta. As, however, I did not keep a copy of that letter, I am not certain whether the enclosed is an exact copy of it, but I believe that it will be found to be in every essential respect correct.

I am, sir, your obedient servant,

V. K.

7th November, 2835.

TO THE EDITOR OF THE ENGLISHMAN.

CALCUTTA.

SIR,—Much nonsense have I read in the course of my life, but such nonsense as the remarks of Major Buckley on my Treatise on military law, which are contained in the 22d number of the East Indian United Service Journal, never before came under my notice. It is, also, extremely singular that any person should venture to write remarks on a work, which it is evident he has never read with the slightest attention, and it is perfectly inexcusable that such remarks should be principally founded on misstatements and misquotations. But it is Major Buckley's wondrous modesty and diffidence that are particularly remarkable. For I mentioned in the preface to that Treatise that I had performed the duties of Judge Advocate for ten years in the Poonah Subsidiary Force, and of Judge Advocate General of the Bombay Army for fifteen years, and yet Major Buckley hesitates not to make use of such expressions as these—"I consider Lieut. Colonel Vans Kennedy's remarks and reasoning utterly confused, contradictory, and erroneous"—Colonel Vans Kennedy appears to me wrong in every sense of this opinion—"Does it not appear strange, that any man who professes to have studied the law, and who is gifted with but the commonest reasoning faculties, should maintain so absurd a doctrine"—&c. &c.

Who Major Buckley is, and what means and opportunities he may have possessed for acquiring a knowledge of Military law, and the practice of Courts Martial, I know not. But the individual who questions the necessity and propriety of a decision sanctioned by eleven out of the twelve Judges of England betrays such ignorance and self sufficiency that his remarks would be undeserving of even this brief notice, were not the subject, respecting which he has obtruded his crude notions on public attention, of so much importance. But, had Major Buckley been at all acquainted with Military law, he would have known that, although more a speculative than a practical point, the mode of proceeding which ought to be adopted in case of a Court Martial being reduced below the legal number of members, has been a subject of doubt and discussion since at least the year of our Lord 1745.* As, therefore, no orders or instructions respecting it had been issued by competent authority, I recommended that, with respect to Courts Martial, the same practice should be adopted as prevails in Courts of Law when a Jury is by any accident reduced below the legal number. Unless, therefore, Major Buckley is prepared to maintain that the proceedings of Courts Martial ought not to be conducted, as far as practicable, according to the practice of Courts of Law, it will be obvious that it is his remarks on this point, and not mine, that are utterly erroneous. For it is generally admitted that the addition of new members would render the proceedings illegal; and it is impossible to understand what difference there can be between Officers newly appointed for that duty, and Officers who, although originally members of the Court Martial, had not attended it during any part of the trial, and who were in consequence unacquainted with what had taken place during their absence.

Major Buckley, however, informs us that HE thinks it still a doubtful point, *according to strict law*, whether a prisoner can be arraigned again upon the same Charges, should the members of the Court Martial be reduced below the legal number before passing sentence. But Chitty, an unexceptionable authority, says, quoting several authorities, "If one of the jurymen be taken ill during the trial, though of a capital offence, so as to be incapable of agreeing in the verdict, or die, the jury may be discharged, though the evidence of the crown is nearly gone through, and the prisoner must be tried afresh by another jury." According to strict law, therefore, the proceedings of the Court Martial on the first arraignment being incomplete, and no verdict having been given, the prisoner remains liable to be tried by another Court Martial. But it is evident that, if he is again brought to trial, the mode of proceeding pointed out in my Treatise must save time, as it prevents the necessity of composing the subsequent Court Martial of entirely new members who might not be assembled without considerable delay, and as it expedites the subsequent proceedings of that Court.

From the following remark of Major Buckley —"Colonel Vans Kennedy observes, that great inconvenience must arise upon any legal point of discussion when the votes are even: this does not necessarily follow, and no such inconvenience ought to arise"—I am led to conclude that he could never have been even a member of a Court Martial. But he may have heard of the Ass between two bundles of hay, and I can affirm, from having officiated as Judge Advocate at, I believe, ninety trials before European General Courts Martial, "that an equality of votes, if acted upon, would place a Court Martial in equally disagreeable a predicament. For the law prescribes to Courts Martial certain things to be done which can be only done by giving the president the casting vote, and each member is liable to an action at law for the Court's not doing said things; and yet here comes Major Buckley, and tells us that no inconvenience must necessarily follow from the Court's not deciding a question according to law on account of an equality of votes. I thought that the instance given by me in the Treatise, on which this learned gentleman has written remarks, was easily intelligible to the weakest understanding. It was, that the law requires such evidence to be admitted, and such evidence not to be admitted, and if therefore a difference of opinion arises at a Court Martial, whether such or such question shall be put to a witness, how, according to Major Buckley's dictum, is the Court to act should the votes be equal? Is the question to be put, or is it not? Here we have the ass between the two bundles of hay, and I leave it to Major Buckley to extricate the Court from this difficulty according to the view which he has taken of the subject. The acquittal of the prisoner, if there is any doubt respecting his culpability, is a lenient evasion of strict justice. But the guilt or innocence of the prisoner is one only of the numerous questions that come under discussion at almost every Court Martial, and, as such Courts must frequently during their sitting be reduced to an even number of Members, it must be evident that their proceedings could not be carried on, if such questions were not to be decided on account of their being an equality of votes. At Courts Martial, therefore, whatever may be the practice of Courts of Law in this respect, the necessity of the case obviously renders it indispensable that the president should have the casting vote, as otherwise, the proceedings must inevitably often come to a stand-still.

As, also, Major Buckley belongs to the Bengal Army, it might have been expected that he would have paid some attention to the remark made by the Marquess of Hastings on a case of equality of votes (see Hough's Case Book p. 193) in which it is observed. "The want of a sentence renders the protracted and laborious assiduity of the Court altogether fruitless, since there is nothing on which the Commander in Chief has to exercise his judgment, in confirmation or disapproval." Major Buckley might, also, have recollected this passage in Remarks made by General Sir Edward Paget on the decision of a General Court Martial held at Chittagong on the 26th July 1824. "His Excellency can scarcely believe it possible that a Court, consisting in part of four Field Officers and six Captains, should not be aware that, where the opinion of a Court Martial is equally divided (and this it is obvious never can occur in a case affecting the life of a prisoner,) the side on which the president gives his vote is decisive of the question!" When, therefore, Major Buckley treats the opinions of these distinguished Commanders in Chief, and a decision sanctioned by eleven out of twelve of the Judges of England, with such supercilious contempt, I need not be surprised that he thinks that many of the opinions and doctrines contained in my Treatise are erroneous. But, although errors may have occurred in that work, nothing but that self sufficiency which inevitably results from ignorance, could have led him to suppose that he was capable of detecting them.

It would, however, be an useless waste of time to continue making remarks on the crude notions of any person who could not only write, but even allow to be published such a sentence as this—"It is, therefore, in accordance not only with the dictates of the law, but what is of higher import, those of justice and reason, that the mildest punishment should constitute the sentence of a court so divided; and I maintain, that in such case [an equality of votes with respect to the punishment] reduction of rank becomes the sentence of the Court instead of the absurdity of not passing any sentence." This absurdity, however, is the established practice of Courts of law, where, if the Court consists of an even number of judges, and they are divided in opinion, no judgment can be awarded. It is at the same time the indisputable practice of Cours martial, and consequently the only legal mode of proceeding, that the guilt of the prisoner and the kind and degree of his punishment (except in cases of death) shall be decided by the MAJORITY; and, therefore, there can be no doubt that, were a prisoner sentenced to suffer a punishment not adjudged by the MAJORITY, such sentence would be altogether illegal.

Were it not, also, for the extreme self conceit which is so ludicrously displayed in his remarks, it might seem strange that it did not occur to Major Buckley that no person ought to undertake the discussion of so important a subject as that of military law, unless he could write clearly and concisely, and with some pretensions to logical precision But in the nine pages and a half which are occupied with his remarks in the number of the E. I. U. S. J. above referred to, Major Buckley shews such total contempt for conciseness and precision, that it is impossible to understand either the meaning or the object of those remarks. In p. * of that number, for instance, does Major Buckley mean to maintain, in opposition to the legal authorities quoted in my work, that the examination of an absent witness cannot be taken and made use of as evidence at the trial for which it was required? For, if not, as there are only the two modes pointed out by me in which it can be taken, his remarks on this point are obviously superfluous. What, also, does he mean by saying that "the insufficiency of *de bene esse* evidence is fully established?" "Since, as it is admitted by law, its sufficiency—that is, its admissibility as evidence, cannot be questioned, and it must consequently be received by every Court Martial that intends to conduct its proceedings legally.

In p. 53 of my Treatise I quoted a passage from the Regulations of His Majesty's Army, which directs that in every case in which a prisoner pleads guilty, it is the duty of the Court, notwithstanding, to receive and record the evidence adduced on the part of the prosecution. On which passage Major Buckley remarks—"This doctrine, and the regulations and orders quoted, I hold to be objectionable and imperfect." Thus this modest and diffident Major takes upon himself to object to a regulation established by the highest military authority, and he is certainly at liberty to indulge in the self complacent contemplation of his own superior knowledge in such matters. But does Major Buckley intend to lead officers to suppose that they can, when Members of a Court Martial, whatever their private opinions of this regulation may be, act in direct opposition to it? If not, it is not only useless but prejudicial, to make remarks on a point which admits not of discussion, as it is obviously incumbent on every Court Martial to conform implicity to that regulation.

But however Major Buckley could make such a remark as this, appears astounding—"No Court Martial has, or ought to have, the power of refusing to examine into any charge submitted to it, that is plainly a military crime, and cognizable by the Court." Does he mean to contend that an officer or a soldier, when brought to trial before a General Court Martial, can be deprived of any privilege to which he would have been entitled had he been tried in a Court of law? I cannot, however, suppose that Major Buckley intended to maintain so untenable an opinion, and I conclude, therefore, that he is ignorant that, in a Court of law, the defendant, on being arraigned, may plead in abatement of the indictment in bar of trial.—That is, may point out any defect that is apparent on the face of the indictment, and, should the plea be allowed, a new indictment must he presented against the defendant. In the same manner at a General Court Martial, the prisoner is allowed, on arraignment, to make objections to the charge preferred against him in bar of trial, which objections the Court is legally bound to take into its consideration, and, if found valid, to reject the defective charge, or to return it to the prosecutor for amendment. I have, if I be not much mistaken, explained in p. 58,59 of my Treatise, with sufficient clearness, what I have called a *plea to the charge*, and in p. 48,49, the bad consequences that result from the investigation of defective charges. If these remarks, therefore, be correct, Major Buckley's strictures were altogether unnecessary; and, if not, he certainly should, instead of indulging in self-sufficient and irrelevant remarks, have clearly pointed out (if he were capable of doing so) the erroneousness of my statements, and supported his own opinions with the requisite precedents and authorities.

But it would be endless to expose all the inapplicability, absurdity, and self-sufficiency of Major Buckley's remarks on my Treatise, and I shall therefore merely add an instance or two of his misquotations. For example, in p. 24 of that work I mentioned the opinion of Sir Charles Morgan, that the president of a Court Martial had not a double vote, and that the practice of the Horse Guards does not countenance such a position—and added, "directly contrary to this [the practice of the Horse Guards] is the practice of Courts Martial held in the Army of India, and of such as are held in His Majesty's Forces every where except at the Horse Guards; for at them, in conformity to the opinion of Tytler, the president has always a casting vote when the Court is equally divided." This passage Major Buckley first misquotes; and then remarks—"Lieutenant Colonel Vans Kennedy in the first place says, by his exception, that it is not the practice at the Horse Guards; again he says, in conformity to the opinion of Tytler, it is the practice of the Horse Guards; again he admits that it is not the practice, and that the practice at the Horse Guards, as stated by Sir C. Morgan, may, prima facie, appear the most legal. This appears to me utter confusion and contradiction." No doubt, it is a confusion and contradiction of Major Buckley's own making, for my remarks on this point will, I have no doubt, be found perfectly perspicuous and consistent. But what opinion must be formed of the individual who, when writing on a subject of importance, first misquotes the book on which he is remarking, and then obtrudes such absolute nonsense on public attention?

Again and to conclude, in p.——* of that number, Major Buckley ascribes to me the absurdity of stating that "if a man be tried for murdering a man on the 26th, and it should be proved he murdered him on the 27th, he must be acquitted, and cannot be tried again for murdering the man on the 27th." So gross and palpable a misquotation was never before, I believe, committed to paper! I can, however, easily imagine that Major Buckley was incapable of comprehending this plain quotation from Chitty's Treatise on criminal Law which occurs in p. 40 of my work, and the remarks made by me respecting it—"though the allegation of a specific time is thus important, it is, in no case, necessary to prove the day or even year laid in the indictment, *except when the time enters into the nature of the offence.*" It is the words underlined that has obviously so much perplexed Major Buckley, and led him into making remarks of inconceivable absurdity, and, as if aware of their absurdity, he boldly and unblushingly ascribes to me a statement which I never made. For it is evident that a man can be murdered only once, and consequently in such a case, time does not enter into the nature of the offence. If, therefore, it be proved that the prisoner murdered A, although on a date different from the one alleged in the indictment, he must be convicted; but, if on the trial, the charge is not proved, and the prisoner is acquitted, he cannot be tried on account of this variance in the date, for the murder of A on the date on which it actually took place.† But if an officer is charged with writing a disrespectful letter to his Commanding Officer on the 26th of the month, time becomes essential, because it is by the date alone that the letter in question can be identified. If, therefore, the letter produced by the prosecutor in support of the prosecution, is dated on the 27th, it is evident that such letter does not prove the specific allegation contained in the charge, and the prisoner must consequently be acquitted. But he may be afterwards tried for writing the letter of the 27th, as the writing of it is a perfectly distinct offence from that on which he was previously tried and acquitted.

These remarks have extended to a greater length than I intended, but I still trust that you will find room for them in the "Englishman" on the good old principle of *audi alteram partem*. For, so published, they may perhaps induce Major Buckley to suppress the publication of the rest of his remarks on my Treatise on Military Law, and thus prevent the farther exposure of his profound ignorance of the subject which he has attempted to discuss. They may, also, evince that it is most probable that person, whose duty it was for twenty eight years to pay constant attention to the principles and practice of military law, must be better acquainted with them, than the individual who has not given to them the same degree of attention; and that the contraverting opinions and statements which rest on long personal experience, on long consideration of the subject treated of, and on the best legal authorities, is not so easy an undertaking as it may at first appear.

I am, sir, your obedient servant,

VANS KENNEDY.

BOMBAY, *5th November*, 1835.

These words of Major Buckley, which so evidently apply to the Remarks of General Sir Edward Paget, above referred to, had escaped my notice, but I now add them, as they so completely shew the modesty and diffidence of Major Buckley, and the tone and spirit in which his remarks on my Treatise are written. "It is true we have witnessed one Commander in Chief, either in ignorance or contempt of the best legal opinion by which his own service is guided (that of Sir C. Morgan) lay down such rule for the guidance of Courts Martial, but we are no more bound by this absurdity and illegality, than we are by those exhibited by some of the proceedings, findings, and sentences of Courts Martial in this country."

V. K.

CHALLENGE TO THE PRESIDENT OF A GENERAL COURT MARTIAL.

TO THE EDITOR OF THE BOMBAY GAZETTE.

SIR,—In sending you the accompanying letter I may as well advert to a point of military law which I have not noticed in it, although it is touched upon in Major Buckley's "Brief Remarks." For it seems that a doubt exists with respect to whether the President of a General Court Martial is liable to be challenged, but on what grounds I am not aware. The opinion on this point, expressed in p. 29 of my Treatise on Military law is that of Sir Charles Morgan, as given in the advertisement to James's Edition of Tytler, and is as follows.—"The President of a General Court Martial cannot be objected to by challenge in the same manner that the members may be, he being named in the order, or warrant, for the trial. If, therefore, any objection be urged against his appointment, care must be taken to have such objection clear and specific: The Court must then separate, and the objection must be referred for decision to the authority under which his name was inserted in the order or warrant." The justness of this opinion cannot, I think, be questioned, but it may require some explanation.

It will not, I suppose, be denied that the Officer or Soldier who is brought to trial before a General Court Martial is entitled to all the privileges of which he may avail himself were he tried in a Court of law, and that the president and members of a Court Martial act in the character of petit jurymen. For they take an oath *to well and truly try and determine according to the evidence in the matter before them*: and the oath administered to a petit juryman is.—"You shall well and truly try, and true deliverance make between our sovereign lord the king and the prisoner at the bar, whom you have in

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* See McArthur, 3d ed. Vol. 1, p. 352.

* I mention my experience so particularly, because, as military law is completely *lex non scripta*, I know not how a correct knowledge of it can be acquired except by experience.

* I forget the page, and I have not the Journal at hand to refer to.

It is in page 318. ED.

* 317.—ED.

† Had Major Buckley taken the trouble of reading the work on which he has written what he calls remarks, with any degree of attention, he would have observed that, in p. 56, the following words are quoted from Chitty, and not given as an illustration of mine—Thus as to the point of time, if he [the defendant] be indicted for a murder on a certain day and acquitted, and afterwards be charged with killing the same person on a different day, he may plead the former acquittal in bar notwithstanding this difference, for the day is not material; and this is a fact which could not be twice committed."

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charge, and *a true verdict give according to the evidence.*" But it is too well known to require remark that every petit jury-man, when he comes to the book to be sworn, may be challenged by both the prosecutor and the prisoner; and, consequently, the president of a General Court Martial, equally with the members, must be considered as liable to being challenged. That, also, the president cannot be legally exempted from challenge is proved by the circumstance of his forming part of that legal number of members of which a General Court Martial must be composed, and by the very nature and reason of Challenges as explained in the following passage of Blackstone's Commentaries, Vol: 3. p. 365. "We may here again observe, and observing we cannot but admire, how scrupulously delicate, and how impartially just the law of England approves itself, in the constitution and frame of a tribunal, [the petit jury] thus excellently contrived for the test and investigation of truth; which appears most remarkably, 1, in the avoiding of frauds and secret management, by electing the twelve jurors out of the whole panel by lot:* 2. In its caution against all partiality and bias by quashing the whole panel or array, if the Officer returning is suspected to be other than indifferent; and repelling particular jurors, if probable cause be shown of malice or favour to either party.

The prodigious multitude of exceptions or Challenges allowed to jurors, who are the judges of fact, amounts nearly to the same thing as was practised in the Roman republic before she lost her liberty: that the select judges should be appointed by the prætor with the mutual consent of the parties: or as Tully expresses it: "*adhibendi eodemque modo reiciendi majores nostri, non modo de existimatione cujusquam, sed ne pecuniaria quidem de re minimâ, esse judicem, nisi qui inter adversarios convenisset.*"

That a challenge, therefore, lies to the president of a General Court Martial appears to be indisputable. But the manner in which such challenge ought to be made and disposed of is quite a distinct question; for all that the law requires is, that no person shall be a petit jury-man who is in any degree biassed or prejudiced with respect to the cause about to be tried. General Courts Martial, however, are composed of Officers who, although they should hold themselves to be perfectly independent of all control in their capacities of judges and jurors, must still consider themselves in all other respects, when members of a Court Martial, as Officers. As, therefore, the president is not only Senior in rank, but also appointed by special warrant for the purpose of preserving order and decorum in the Court, and regularity in its proceedings, it would obviously be disrespectful both to him and the authority by whom he was appointed, were he to be objected to and relieved from such special duty in the same manner that the members are. For the usual mode of proceeding at General Courts Martial, when a challenge is made to a member, is to allow him to withdraw without requiring the party making it, to state the grounds of his objection: but, should the Court deem it expedient to inquire into those grounds, and to enter into any discussion respecting them, the member challenged retires during such discussion. It is however, evident that, should the president be challenged, he cannot leave the Court, as his presence is indispensable for its legal constitution, and the discussion, therefore, in his presence, of the exceptions made to him, must obviously be not only highly objectionable, but at the same time entirely useless, as he could not be relieved from the situation of president by any other authority than that by which he was appointed. In such case, consequently, the only mode of proceeding, free from all objection, that can be adopted by a Court Martial, is that pointed out by Sir Charles Morgan—with this explanation, that it is no doubt competent for a General Court Martial to decide whether the challenge made by either party rests on legal grounds,† and if not, to reject it—recording at the same time the challenge and the cause of its rejection on the face of the proceedings. But, if the challenge be one allowed by law, the Court can enter into no discussion of its merits, but must break up and report the circumstance to the authority by whom it was assembled.

It is not, however, surprising that doubts on this point should exist, for the challenge of the president of a General Court Martial is of so extremely rare an occurrence, that, as far as I recollect, during an experience as Judge Advocate of twenty eight years, I knew only one instance of such challenge: another instance has recently occurred at Poonah, but I am inclined to believe that, during twenty nine years, these are the only cases where such a challenge has taken place in the Bombay army. The inapplicability, therefore, and impropriety of these remarks of Major Buckley will be perfectly obvious—"It *may* be that a Commander in Chief himself may be prejudiced against the person about to be tried, and he *may* select a president whose known or expressed opinions on the subject about to be brought before the Court, leave no room to doubt how his opinion will be given, and thus ensure the influence of a president's opinion against a prisoner. The law is meant to guard as much as possible against the injustice that *may* be committed from the fallability of human nature; and who will say that a Commander in Chief is infallible?"

I am, Sir,

Your obedient Servant,

VANS KENNEDY.

8th November. 1835,

† But, as some "discussion" may be necessary before this can be ascertained, how is the President to be disposed of in the mean time? or is he, if present, to have a voice in the disposal of the objection? It is stated above that "the discussion, in his presence, of the exceptions made to him, must obviously be highly objectionable," and "entirely useless as he could not be relieved from the situation of President by any other authority than that by which he was appointed." by which it would appear that it is not fitting he should be present during the discussion, and that he cannot be absent on account of the duties imposed on him as president.—ED.

FOUNDLING'S FAREWELL.

TO THE EDITOR OF THE BOMBAY GAZETTE.

MY DEAR SIR,—When I first addressed you on the subject which has formed my standing theme for the last few months, I imagined that eight or ten short letters would embrace all I had to say; but I find that I have already spun out twenty three, and, for ought I see, it would require as many more to bring me to the end. Under these circumstances, I think it as well to drop the pen at once; a resolution with which the public will I dare say be very well pleased: the best writers on such matters are set down as bores, what epithet then will be applied to the worst?

I should have conceived it unnecessary to make known to you this intention, as being of too little consequence, had I not thought that, to leave your columns, without some explanation, would be but a poor return for your civility, in so readily receiving what I had hitherto forwarded to you.

I cannot, upon reflection, think that my proceeding with the subject would be productive of any good. Until persons far more able and more influential than myself shall have enlisted on the side of the policy, which I have too feebly advocated, such endeavours as mine will be a mere waste of time and labour: I feel it therefore better to withdraw from what appears an altogether fruitless pursuit.

I will not take up more of your attention; but, most sincerely thanking you for the frequent, long, and patient hearings you have given me, and with the best wishes for the prosperity of yourself, and of your undertakings, subscribe myself, once more,

Your most obedient servant,

FOUNDLING.

P. S. I have written this explanation to *yourself*; if you think that it would be as well to publish it, you can of course do so.

F.

NOV. 1ST 1835.

REVIEW OF H. M. 40TH REGT.

TO THE EDITOR OF THE BOMBAY GAZETTE.

MR. EDITOR,—My Friend, who is fond of a good military spectacle, was so good as accommodate me in the family vehicle, the other evening, that we might see the performances of H. M. 40th Regt., as a good deal had been said regarding the state of this Regt. On reaching the parade our attention was first attracted to the Regiment, then in line, where we had before us a very steady and soldier-like body of men. They soon broke into column of companies, and changed front. This was done well, their wheelings were very correct, with great regularity in their touch of file, and their distances were well preserved; the firings on the whole were good, particularly the volley in line.

On the whole, considering the short time the Corps had to prepare, their display was very creditable, and such seemed to be the general opinion;

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In a word, I was pleased with the Regiment, but displeased with its

REVIEWER.

BOMBAY, *9th November*, 1835.

* The portion struck out gives a conversation between our Correspondent and his friend on the subject of the "Cossack Mustachoes" worn on the occasion by a certain officer, and the care he took of them. It also points out that that individual had no Shabraque, and it alludes to the necessity of a superior being an "example and pattern in every thing."

The wording of our Correspondents' letter is somewhat too pointed, and, although conveying a very correct view, appears, from certain circumstances, to be a little too personal.—ED.

CAPTAIN MULLER'S COURT MATIAL.

TO THE EDITOR OF THE BOMBAY GAZETTE.

MR. EDITOR,—If your acts are such, as justice, equity, and fair dealing sanction, you, I imagine, can have no objection that their merits should be discussed; but, if you should, peradventure, infringe these salutary rules of civilized life, you ought to be obliged to any of your correspondents, who take the trouble to correct you; because, in doing so, they may guard you against similar errors, or, it may be, offences.

Since your correspondent, OPPRESSION'S letter appeared, marking * * * * * * * * * * * * * the unprecedented attempt to punish a man *thrice* for the same offence, which was an omission merely of a point prescribed, the sentiments of the Court Martial which was ordered for this third punishment, have been expressed: and I rejoice, that they have viewed the object of their appointment in the self same light with that set forth in Oppression's letter; and I, as well as you, have doubts, whether in such a case, the act of ordering a third punishment, in the shape of a Court Martial, was legal, if the first principles of justice are those which are considered to constitute legality.

It has produced a long general order, censuring the Court for not punishing a third time—they very properly observing, that the individual had already been twice punished, and that they could not, in conscience or in justice, award any further punishment; for punishment is only inflicted where the Judge considers it due—what, then, was due here? a third punishment! And yet the general tendency of the remarks in the general order go to express disappointment, that this Court did not act in the same spirit which would seem to have dictated this Court Martial. * * * * *

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* * * * * Rule and law are intended to regulate all.—They make no exceptions; and, the more influential the individual may be, the more carefully ought he to conduct his proceedings, for "*exempto plus quam ratione vivimus*"—besides, * * * * * * * *
* * * * * * * * * * *

It is obvious, that the principle of obedience cannot be infringed without risk; but, in correcting an infringement, the principles of justice ought to be adhered to. These admit not a third punishment; and this ought to have been considered, when the case came under review. As the case now stands, it becomes a question, whether the judgement which dictated the third punishment, in the shape of a Court Martial, has not suffered in the

GENERAL ESTIMATION.

BOMBAY, *7th November*, 1835.

P. S. The above was written, before I had an opportunity of seeing the remarks made by you in the last Gazette, on the subject of the present communication. It would seem that neither the Commanding General, nor you consider the disgrace and anxiety of a person brought before a Court Martial, as a punishment, even where acquittal is awarded. The objectionable part of this case is that any Court Martial should have been resorted to, it appearing, that the Prisoner had been twice already punished.—It was, therefore, clear, that the Prisoner *had offended*; why, then, employ a Court Martial *to enquire*, if such was not intended as a third punishment?

* The parts omitted push the point a litte too far.—ED.

FROM A CORRESPONDENT.

Review of H. M. 40th Regiment, on the Evening of Friday the 6th instant.

After performing the Manual and Platoon exercises, which were done exceedingly well, the Regiment advanced by double column of sub-divisions from the centre,—after advancing a short distance, formed line to the Right, and fired by PLATOON's, from Right to Left.

Retired by double column of sub-divisions, from both Flanks, rear rank leading in rear of the centre. Front turn and form line on the centre sub-divisions.

Advanced in line and fired by PLATOONS from centre to Flanks.

Changed position on the Light Company by throwing the Right back in echellon, and fired by 'PLATOON! from left to Right.

Formed quarter distance column on the Right centre company;—Advance in column;—changed front by countermarch of sub-divisions round the centre, and formed square. Resisted Cavalry, &c. &c.

Deployed into line on the rear division front Base.—Advance in line slow time—General salute,—GOD SAVE THE KING.

ACCIDENT.

On the morning of Wednesday last the body of a man of the Mussulman caste was found dead in the room of a house at Great Warlee, where he lived, covered over with a white sheet with spots of blood on it. On the examination of the body a wound, which appeared to have been made by the teeth, was found on the left side of the Chin, under the Lip, and the Jaw broken underneath the wound, and an artery laid open and perforated in the wound, which appeared to have been done by a blow with some heavy blunt instrument. A cut was also found on the left arm, probably done from deceased raising his arm to protect his Head: deceased was a Blacksmith, and was known to be an industrious man and lived well; some ornaments that he had been seen to wear, were missing from his person, and a hole was traced where the floor appeared to have been recently disturbed, in which something might have been secreted.

DOMESTIC OCCURRENCE.

BIRTH.

At Poona, on the 6th instant the lady of Ensign J. Morphew Browne, Assistant to the Superintendant of Bazars and Police P. D. A., of a son.

MILITARY ARRIVALS.

ARRIVALS.

Lieut. A. H. O. Mathews, 15th Regt. N. I from Poonah.
Ensign Charles Burnes, 21st Regt. from Bhooj.
Capt. J. E. Williams, 1st Regt. M. N. I. from Cochin.
Cornet J. Forbes, 3rd Lt. Cavy. from Poonah.
Assistant Surgeon C. Morehead.
Lieut. R. Knox, 4th Dragoons from Kirkee.
Capt. Decluzeau, Arty. from Nugger.

DEPARTURES.

Capt. M. M. Shaw, 9th Regt. to Poonah.
Capt. Pelham, 10th Regt. N. I. to Baroda.
Lieut. Brabazon, Artillery, to Surat.
Ensign T. A. Williams, E. Regt. to Poonah.
Lieut. R. Knox, 4th Light Dragoons to Europe.
Assist. Surgeon R. P. Rooke, 5th Regt. to Deccan.
Lieut. H. Stamford, H. Arty. to Europe.
Captain C. Delamain, 3rd. Cavy. to Europe.

SHIPPING REPORT.

ARRIVALS,—None.

DEPARTURE.

Nov. 8th.—French Ship Malabar, F. Lartque, Master to the Malabar Coast.

" The E. I. C. Schooner Cyrene, Mr. Wm. Garnell, Commander, to the Persian Gulph.

Passengers,—Lieut. Wellsted, and Mr. Keys.

10th.—Schooner Syed bin Calfaun, Alexr. Girard, Master, to Mauritius.

SHIPS LOADING.

For London,—Wm. Ritchie, Boyne, and Lady Feversham.
Do. Liverpool,—Barque Syria.
Do. Bengal,—Dauntless.
Do. China,—William Rodgers.
Do. Madras,—Annandale,
Do. Rio de Janeiro.—Brig Sa'ude.
Do. Boston,—Shepherdess.
Do. Bordeaux,—La Marie.

VESSELS IN THE HARBOUR.

H. Co's. Ship Hastings.
Do. Do. Floating Chapel—Aurora.
Do. Do. Surveying Brig Palinurus.

FREE TRADERS.—Wm. Rodgers, Wm. Ritchie, Princess Charlotte, Boyne, Duchess of Clarence, Lady Feversham, Annandale, Emmie, Albion, Dauntless, Hero of Malown, Gilmore, and Barque Syria,

COUNTRY SHIPS.—George Cruttenden, Nasserath Shaw, Meccai, Discovery, Tauze, Sir Herbert Compton, and Grab Shaw Byramgore.

Portuguese,—Sa'ude.

French.—La Marie.

American,—Shepherdess, Enterprise, and U. S. ship Peacock.

HIGH WATER TABLE.

Nov.	H.	M.	H.	M.
11th Wednesday	2	8	3	29
12th Thursday	2	52	3	15
13th Friday	3	39	4	8

THE GAZETTE.

WEDNESDAY, NOVEMBER 11, 1835.

WE believe the Steamer left the Harbor last evening between 5 and 6 o'Clock. for the Red Sea, having the following passengers on board:

Mr. and Mrs Norris, James Henderson, Esq., Mansfield Forbes, Esquire, Captain Roberts, Captain Williams, Lieut. Knox, Lieut. Stamford, Ensign Travers, William Jeafreson, Esquire, Lieut. Haband, Captain Delamain, Lieut. Sharp, I. N., to join the *Clive* now in the Red Sea, and Mr. Murphy.

FROM the English extracts contained in the Calcutta papers we see that the following Vessels were timed for Bombay from the places, and at the times following:

Gravesend, June 20th sailed, the *Morley*, Douglas.

Portsmouth, July 12th, sailed the *Carnatic*, Brodie.

Loading in the Port of London; *Marquis of Hastings*, Clarkson, to sail on 7th July;—the *Malabar*, Tucker, on 10th July;—the *Triumph*, Green, on 26th July;—the *Java*, Todd, on 5th July; the *Mermaid*, Chapman, on 1st August;—the *Lady Raffles*, Pollock, on same day;—and the *Buckinghamshire*, Hopkins, on the 1st September.

Loading in the Port of Liverpool; the *Theodora*, Dixon, to sail on 12th July;—the *Theodosia*, Colman, on 11th July;—and the *Grenada*, Sullivan, on the 15th July.

Loading in the Clyde; the *William Nicol*, Kincaid, to sail on 7th July.

WE understand that Mr. J. P. WILLOUGHBY, lately Political agent in the Kattywar country, has been appointed Secretary to Government in the Political, Judicial, and secret Department, in the room of Mr. C. NORRIS, who has left for England.

A REPORT has found its way to Madras, and from thence here, that the House of Lords had thrown out the Irish Church Bill sometime before the 16th July, and that the Whigs were to be sent to the right about as a punishment for their failure in carrying it through. Lord BENTINCK, it was also said, was to be Commander in Chief, and if not that, then he was to be stuck into the chair of the President of the Board of Control. But neither report appears well founded. Lord JOHN RUSSEL intimated some time ago that he would not introduce the Irish Church Bill until the Corporation Bill was disposed of. We see it stated that, on the 14th July, the latter Bill had not *then* been read a third time, but some early day was to be named. If this be true, it is not likely that the Irish Bill had even been introduced into the House, far less disposed of, and sent to the Lords in the short period which elapsed between the evening of the 14th and that of the 16th (the latter being the last date up to which we have intelligence); so far, therefore, as these grounds go to support the idea of an immediate change of Ministry, they seem to rest on a very questionable foundation.

The report of the intended appointment to office of Lord Bentinck, seems equally premature. In absence of better employment the London Press have been speculating in this instance in their usual fashion: and indeed, the only notice we find taken of His Lordship in a public way, is that which appears in an article from the *Morning Chronicle July 12th*, which appears in to-day's paper. Our readers can judge from it whether Lord Bentinck is not more obliged to the fancy of the writer than to any demonstration among the Ministry, for the honors reported to be in store for him.

We hope, before they take any step towards placing his Lordship in any situation which has any connection with India, that they will direct certificates from both services in India, and the general body of the people, to be procured, for the purpose of satisfying themselves of his Lordship's fitness, and of the sympathy which it may be expected he will have for those who may have the misfortune to be affected by the measures he may have any hand in.

We believe his merit-fostering minute has preceded him, and met with but a cool reception. He perhaps can inform the Court of Directors and the Country at large of the favor in which it stood here, and the credit his Lordship's ability and good taste acquired from its promulgation and adoption.

There appears to be nothing determined on regarding the appointment of Governor General. Some of the periodicals have it that Lord GLENELG (Charles Grant) is already appointed, and the newspapers seem to have kicked all his competitors out of the field; so, after all their railing and ramping, they seem to consider the task of bringing a more fit person on the boards, hopeless, and they now lie down in peace, letting his Lordship, his admirers, and supporters have it all their own way, and the prevailing opinion seems to be that Lord Glenelg will be the person fixed on at last.

H. M. *Melville*, from Bombay, arrived off Plymouth on the 7th July.

* The same purpose is answered, as far as is practicable, by the established usage of naming Officers for Court Martial duty according to roster.

THE following Extract of general order we take from a Calcutta paper :

"No. 223 of 1835.—In obedience to instructions received from the Hon'ble the Court of Directors, the Governor General of India in Council is pleased to notify to the Army, that no application for an alteration of Rank will be received or attended to after the expiration of twelve months from the date when the Rank was fixed."

WE have devoted the greater portion of our space of to-day to the English matter received by the Bengal Papers. Among it will be found several very interesting extracts.

The fruits of the late treaty between Russia and Turkey are now beginning to be felt, the latter having refused to allow a British and a French Ship of War to pass through the straits of the Dardanelles and the Bosphorus, on the plea of being bound by a secret article appended to that treaty, to prevent the navigation of either of those Straits by foreign Ships of War.

AMONG the English Extracts we observe that Lord William BENTINCK had been presented to His Majesty by Sir John C. Hobhouse, on his return from India, on the 15th July.

WE regret to learn the determination come to by our valued and indefatigable Correspondent, FOUNDLING. The subject on which his series of letters treated would, as he says, be an endless one, and what is more, the seed would require to be sown in a different soil to that which this country now affords. But the various suggestions contained in his communications will not be lost to this country, and a day will come when they will form a record of reference. While this country remains as it does, and has men appointed to control its affairs who have little else to recommend them than their time spent in the service, and the interest they may possess at head quarters to get elevated to that point which forms the acme of their ambition,—that rocking chair for decayed gentlemen, called the Council board, it is not to be expected that any public improvements of the slightest national importance can ever be planned or carried into execution. A Governor's career, whatever may be his ability or inclination, is too limited to allow of any substantial scheme being perfected or even set on foot, and thus must this country remain in its wretched state until some more happy æra dawn on it.

But there may be several other subjects connected with public improvements which are not undeserving the attention of such an advocate as FOUNDLING,—improvements of such a nature as might hold out hope of immediate benefit. In this way might matters gradually move on, until, under a more vigorous management than this country has for by-gone years been blessed with,—but which we must hope may now, or soon be, more extensive schemes for the general improvement of the interior, may be adopted.

We would beg to throw out this suggestion for FOUNDLING's consideration, and shall always be glad to receive any communication he may think fit to favor us with.

THE *Madras Herald* of the 31st ultimo notices the installation of Dr. CORRIE to the See of Madras on the 28th ultimo. St. Georges' Church is henceforth to be entitled the Cathedral Church of St. John.

The same paper, in alluding to the Court Martial on Captain Byng of the 6th L. C., mentions that the defence was read by Lieutenant Dodd of H. M. 54th Regiment, on the 20th.

Eight or nine of Captain Byng's most intimate friends, who were well acquainted with his handwriting, have given evidence that they cannot trace any resemblance between it and the writing in the letter which forms the ground of charge on which the court has met, and expressed their belief that Captain Byng is the last person who would write or indite so infamous a production. The advocate General was to give in his reply to the defence on the 29th.

Our readers will recollect that Captain Byng is charged with being the author of a certain letter, which contained some very obscene language, and which appeared lately in one of the Madras Papers (we think the Standard). This letter, it would appear, had been put in print through some inadvertence on the part of the conductors of that paper, and they, finding it had attracted public attention, delivered up the manuscript for the purpose of enabling the authorities to trace the author. On the supposed resemblance between the handwriting in this manuscript, and that of Captain Byng, has the charge of authorship been laid at his door, and, as he would not voluntarily acknowledge or adopt the bantling, a court Martial was convened for the purpose of establishing, if possible, the parentage.

Several opinions have been expressed on the conduct of those who delivered up the manuscript,—some justifiying it, and some condemning it as a breach of faith. So far as ourselves are concerned, we look upon correspondence,—whether well or ill written, or containing tales of love or scandal, or story of complaint, as a trust over which there are two powers vested in us,—the first,—that of publication, we ourselves being responsible ;—and the second,—that of rejection, with consignment to the usual fate allotted in such cases. But in no case should we hold ourselves justified in giving up the letter or its author's name, and in no case should we do either.

OUR Correspondent "GENERAL ESTIMATION" has mistaken the spirit of our remarks on the subject of the Court Martial to which he alludes. What we contended was, that the Court had no discretion in the matter, and that, as they had found Captain MULLER guilty of an act which by the Military law is looked on as an offence, they ought, on that finding, to have awarded a punishment. The same rule we take to govern them as governs the Civil Courts. If the Civil law has prescribed a certain punishment for a certain offence, the Judge, whatever may be his own ideas of the severity of the punishment, has no alternative left him. His duty is to pass sentence as the law directs.

In the opinion expressed by our correspondent that Captain Muller had received sufficient punishment for his offence before the Court Martial was convened, we quite agree, and have very great doubts, whether, after such punishment had been inflicted, the assembling of a Court Martial to try for the same offence, was a legal act.

THE case of the Ship *Sherburne* is now attracting considerable attention at Calcutta, and has led to some very unpleasant exposures. This vessel had been advertized to sail from Calcutta for London some time in July last, and had accordingly proceeded on her voyage a short distance (the place where she left the Pilot,) when it was discovered that she had sprung a leak, which rendered it necessary for her to return to get repaired. Some slight repairs were accordingly made, when she again started, and had found her way to somewhere about the same spot where the first leak was discovered, when she again sprung a leak, and had again to return to Port! On a further examination it was found that the vessel was in such a decayed and rotten state, that, to enable her to prosecute her voyage with any hope of safety, she required repairs as extensive as the Irishman's gun did,—vizt. new lock, stock, and barrel!

Much blame is attributed to the Surveyors who had reported on the sea worthiness of this vessel, and on whose reports the Insurance offices had been induced to take the risks; and it now turns out,—according to the statement of a correspondent in the *Bengal Hurkaru*, that the surveyors had been *informed* by the officers of the vessel that her timbers were all in proper order, and that on that information they had made their report!

It is too bad that men employed in the important trust of surveying vessels should be guilty of such negligence as has been charged to the surveyors in this case. Their taking the report of an officer that the vessel was seaworthy, was a breach of the trust reposed in them, but their depending on a similar report after the vessel had returned in a leaky state, and again allowing her to proceed to sea without satisfying themselves that the report was an accurate one, is a piece of mischievous neglect which cannot be too severely condemned. Not only property to a large amount, but the lives of many individuals, formed the risk, and to a happy intervention of providence do those individuals owe their escape from he fate to which the state of the vessel exposed them.

The Insurance offices, on receiving information of the condition of the Vessel, at once resolved on cancelling the Policies entered into by them, and on not recognizing any claim which may be made on such policies.

These circumstances may have the effect of inducing Government, or private individuals, to establish the surveying system on a different footing to that on which it now is, and we agree with the *Hurkaru* in thinking that there ought to be in every port a qualified Official surveyor whose duty it should be "to examine "thoroughly every ship, twice, ere she left the "Port,—first, before she takes in a particle "of Cargo, to ascertain her soundness ; and "next, when she was loaded, to see that she "is not too deep."

The article in the Edinburgh Review to which the *Hurkaru* refers (to be found in No. CXXII, entitled "on the frequency of Shipwrecks") has the following remarks on the evils which have resulted from the little attention hitherto paid to the condition of vessels leaving Port :

"The evil to be avoided is of the most flagrant description; it is the annual loss of hundreds of ships, of thousands of lives, and of a vast amount of property ; and the good to be effected consists not merely in the obviating of this enormous evil, but embraces the improvement of our mercantile marine, and the advancement of the interests of the public, as well as those of the shipowners. We say the interests of the public; for, exclusive of the loss of life, the increased premiums required under the present system, to indemnify the insurers, and the increased wages required to tempt men into so hazardous a business, all go to increase the freight of commodities, and consequently fall, in the last place, on the public."

CALCUTTA.

His Excellency the Commander in Chief in India, is pleased to promote the undermentioned officers of the Bengal Army, holding the commission of Lieutenant Colonel from His Majesty, to the Brevet rank of Colonel in India; commissions to be dated the 18th June 1831.

Lieut. Colonel W. S. Whish, Bengal Artillery.
" " W. Battine, Bengal Artillery.
" " G. Hunter, C. B. Bengal Inf.

The commander in Chief is likewise pleased to promote Lieutenant Colonel J. Skinner C. B, of the Bengal Local Horse, who holds a commission of Lieutenant from his Majesty, to the Brevet Rank of Colonel in India from the same date.'— *Bengal Hurkaru, Oct.* 24.

We are happy to be able to contradict a statement in the *Hurkaru* that all the people of the Arab Ship *Fattlemain* were lost, by publishing the following extracts from the official reports of Mr. Rousseau, the Superintendent of Semaphores at Kedgeree.

"*20th Oct.*—I beg to state for your information, that Row Boats, Nos. 19 and 27, were the boats that went off to the assistance of the people on the wreck of the *Fattlemain*, on the morning of the 19th, after the gale broke up, and rescued 48 men and 1 woman from a watery grave : (The remainder, with Mr. Birch Pilot, supposed to be drowned : no intelligence as yet obtained of them,) Mr. Birch was on deck when the vessel sunk.

The people saved were clinging to the fore and main top mast cross trees of the Vessel, which had sunk during the gale in about four fathoms low water. The gale commenced about 11 o'clock on the night of the 18th, from the N. E. veering round with increased violence to the E. and S. E.; at 4 A. M. the gale broke; it was fortunate indeed that it was ebb tide, or the country would have certainly been inundated, and the destruction of both life and property great.

Most of the huts in the Bazar and Village were blown down, likewise the hut belonging to the Telegraph people under the Flag Staff; several of the ryots complain of their paddy being blighted by the gale. Most of the crew of the *Fattlemain* have gone up to Calcutta, and the remainder will, I believe, go up in the *Hamonshaw*, Arab Vessel.

21st Oct.—The *Fattlemain's* Anchors and new Coir Cables may be recovered with the aid of an Anchor Boat; she is generally upright at about slack water, and remains so until about the first quarter flood or ebb. She has the fore top mast and top gallant mast and main top mast standing. Her mizen mast appears to have been carried away just below the top. When the tide makes strong, she falls on her beam-ends, and is not seen again until the slack water. Part of the crew are still here and have called upon me to protect the property from plunder, but having no Row Boats just now, I am unable to render them any assistance."—*The Calcutta Courier Oct.* 24.

John Frederick Lees, Esq. is returned for Oldham, in place of Wm. Cobbett deceased. His competitors were Mr. O'Connor. who withdrew from the contest, and a son of Cobbett; with the latter it was a close run, Lees carrying the day only by 11 votes according to one list, and 15 according to another, which gives the numbers 397 and 382.

Sir Harford Jones Bridges is made a Member of the Privy Council.

An alteration has been made in the arrangements for the duty of Speaker in the House of Lords : in Lord Denman's absence they are now declared to devolve on Sir Launcelot Shadwell, the Vice Chancellor, and in the absence of both upon the Earl of Shaftesbury.

The King has given up Marlborough House for the temporary residence of the Speaker of the House of Commons.

His Majesty has also placed at the disposal of Parliament all his rights of patronage in respect to such Benefices in Ireland as Parliament shall think fit to reduce.

A Bill to repeal the practice of imposing the test of the 39 articles has been thrown out in the Lords by a large majority, on the second reading moved by the Earl of Radnor.

The Municipal Corporation Bill had not yet passed the Commons. On the 14th of July, it was recommitted *pro forma*, and the report brought up.

The Irish Poor Law Bill, of which we had no previous notice, was read a second time in the Commons without a division on the 8th of July, committed and ordered to go into a Committee of the whole House on that day fortnight.

It has been officially declared that British Officers taking service for the Queen of Spain, are to retain their pensions. This will of course be equally applicable to the Company's Officers. Our extracts will shew that part of the British Legion is already on Spanish ground.

Bilboa has been relieved, and the Carlist forces have decamped from its neighborhood. Harsh measures are reported to have been taken at Madrid against the unsuccessful Generals Valdez, La Hera, and Espartero. The first is said to have been imprisoned in a Fort, the second exiled to Minorca, and the third ordered to the Capital, to give an account of his conduct.

It is reported that Don Carlos disavows the sanguinary Decree issued in his name against foreigners enlisting for Queen Isabel.

There have been some riots in Liverpool, and more serious ones in Amsterdam, the latter excited by distraints for taxes.

We notice the death of Dr. Elrington, Bishop of Leighlin and Ferns.

The following notice of the Marriage of Lord Byron's daughter, taken from the *Morning Herald* of the 9th July, will not fail to interest our readers :

"Yesterday, by special license, at Fordhook, the residence of Lady Noel Byron, by the Rev. Samuel Gamlin, the Right Hon. Lord King, to the Hon. Augusta Ada, only daughter of the late Lord Byron."

Calcutta papers to the 19th of March were received in London on the 14th of July.

The two following documents will be highly interesting to our mercantile readers :

JULY SALE OF INDIGO.

1ST DAY.

830 Chests have passed the Sale this day.

The biddings were very languid, and although strong support was given, especially in the better qualities, a decline of 4d to 6d was established on the prices of the April Sales. About 300 chests were bought in by the Proprietors.

Prices ruled as follows :

BENGAL, Good to fine Violet..	5s 0d	to 5s 8d
Ordinary to middling.....	4s 8d	to 5s 0d
Low consuming.....	4s 3d	to 4s 7d
Dust and trash.....	3s 4d	to 3s 9d

Your most obedient servants.

PATRY AND PASTEUR, *Brokers.*

38, *Mincing Lane, 14th July*, 1835.

The Ayrshire election has terminated in the return of another liberal candidate, Captain Dunlop, by a large Majority over Sir John Cathcart, the Tory candidate.—*Bengal Hurkaru, Oct.* 26.

Mr. St. George Tucker has, we find, been publishing two tragedies, but he is not, it would seem, likely to reap fame or profit from the publication. The *Times's* brief notice of these productions, is, as follows :—

"Mr. St. George Tucker, late chairman of the Court of Directors of the East India Company, has published two tragedies, one entitled *Harold*, the other *Camoens*—titles which tell their subjects. They are productions which (saving the limping blank verse) would perhaps do no discredit to dramatic essayists of the ordinary grade ; but we should have expected something much better from the taste and acquirements of Mr. Tucker. As these were written and printed (for private circulation) years ago, their present publication must be regarded as a deliberate challenge of public criticism :

" ———reprehendite quod non
" Multa dies et multa litura coercuit a que
" Præsectum deceis non castigavit ad ungtem."

I bid.

GENERAL ORDERS
BY HIS EXCELLENCY THE COMMANDER IN CHIEF.

Head Quarters, Calcutta. 23d October, 1835.

At a General Court Martial, assembled in Fort William on Saturday the 17th October 1835, of which Brigadier G. R. Penny is President, Captain Pringle O'Hanlon, 1st Regiment Light Cavalry, (now under suspension) was arraigned on the following Charge :—

Charge.—" I charge Captain Pringle O'Hanlon, of the 1st Light Cavalry, as follows ; viz.

" With scandalous and infamous conduct, unbecoming the character of an Officer and Gentleman, and subversive of Military subordination, in having published in the *Meerut Observer* of the 23d April 1835, a Letter dated Cawnpore 18th April 1835, containing false and unwarrantable imputations, deeply injurious and disgraceful to my character and that of Captain John Augustus Scott, of the 1st Light Cavalry.

(Signed) S. REID, *Colonel 10th Light Cavalry.*

Finding.—" The Court are of opinion, that there is not sufficient evidence to prove the Charge, and do accordingly find the prisoner Captain Pringle O'Hanlon of the 1st Light Cavalry, not Guilty of the Charge preferred against him, of which he is hereby acquitted."

I approve.

(Signed) H. FANE, *General.*

Bengal Hurkaru, Oct. 27.]

THE INDIAN ARMY. WHAT SHOULD BE OUR POLICY?

TO THE EDITOR OF THE EAST INDIAN UNITED SERVICE JOURNAL.

MR. EDITOR,—Your call upon the army to afford the new Commander-in-Chief an insight into its grievances and imperfections, I fear, will be of little avail. No Commander-in-Chief ever will take an interest in the concerns of this army until circumstances shall render its services in the field important to his reputation. Until we have a return to the times of Lord Lake, we shall have no Commander-in-Chief like him, or Governor General like the Marquis of Wellesley. A Commander-in-Chief even with the best inclinations, *can* do but little good ; and he will find the power he has to contend with infinitely beyond his own. It is not any particular act of a Commander-in-Chief or Government that has caused the deterioration so lamentably apparent in the Indian armies : it is the *system* which has so long been pursued both by our masters in England and the Local Governments (I firmly believe acting under their instructions) that has caused it. Every act, for many years past, has tended in every way to depreciate the European officers, to destroy their influence to render them contemptible in the eyes of their men, and the natives generally, and to separate them as much as possible from the men they command ; as if fearful, that the influence they possessed over them, would be turned against the Government they served. It was the policy of idiotism which has so long ruled this country ; as if a child could not see that the influence, authority, and attachment of the officers of these armies, constitute the real strength and hold we possess over this vast empire. These once destroyed, (and it is evident our masters wish to destroy them,) and what are the armies of India? They are an instrument that may, and will be turned against the power of the British dominion. I speak not idly, but with a prophetic spirit, when I say, the British dominion in the East, will be lost through those armies which the short-sighted policy of our masters, both at home and abroad, seems determined to disgust, and render inefficient. Fifty thousand times better would it be, were the officers, possessed of their former influence and commanding the attachment of their men, to mutiny twenty times against any act of their masters : they would still possess the power to control their men ; and their acts would never go beyond a demand for justice;—they would always remain amenable to reason ; and a return to fair dealing on the part of their masters would ensure a return on their parts to obedience. They never would contemplate the destruction of British dominion ; they would not like America throw off their allegiance to the mother country. Colonization never cannot do this. They know that nature prohibits by its climate such a possibility ; but what will be the consequence, when these armies shall be freed from this control, and instigated to revolt against the Government by their countrymen, or an invading power? Let common sense answer this question, for the time is fast approaching, accelerated by bad policy, when this fearful question will be put to issue. I could enter into a long detail of the measures pursued to ruin these armies as efficient safeguards to British dominion, but it is sickening and hopeless whilst stultified security, and parsimonious policy hold such sway in the councils which govern India.

Where do our masters look for information regarding their Indian armies?—to the civil service! whose interest it is by every means to depreciate their importance, with a view to upholding their own. They fear naturally, that a just view of the importance of the two, must lower that of their own, and, consequently, the high salaries upon which they fatten. They look to his majesty's officers, who have the same strong interest in decrying the native armies in hopes of an increase of their own, and thus more largely participate in the colonial allowances so advantageous to them ; and gladly do our masters listen to any thing that may tend to gratify the parsimonious propensity of money-making traders. Do we not see the vital interests of the British supremacy in the honor and influence of its name, sacrificed to the consideration

of the expense attending the upholding it as every European government would uphold its honor, insulted as that of this Government has lately been? Is not every native state anxious, and watching for an opportunity of openly manifesting its contempt of the weakness and fear we have lately exhibited? Are we not pursuing a policy calculated to arm every native state for its own protection, and making its population soldiers instead of peaceable cultivators? And is it to be supposed, when once this is effected, that they will confine themselves to the limits of their own country, and that the ambition of conquest and aggrandizement will not be excited? Even as a matter of policy, the warlike propensities of the people must be given scope and direction to, away from their own country. Our policy ought to be to prevent the necessity of any native power assuming a military attitude, or maintaining a military force, and thus render them innoxious and incapable, should they have the inclination to form, or join, any confederacy against our power. Instead of this, our policy tends to make all soldiers; and thus arms an immense population, ready to take advantage of the first reverse we may meet with, and pour upon us with the overwhelming force of numbers, which we never could withstand. We have left the population of neighbouring states to the merciless exactions of their governors, and their governors to the consequences resulting from this tyranny; and have thus lost the confidence and affections of the parties; and instead of finding them allies in time of need, we shall find them glad to avail themselves of any fair chance that may offer of bettering themselves at our cost and by our destruction. That every native state feels it would benefit, in the first instance certainly, even if not eventually, by our downfall, there can be little doubt; that it should wish to do so, is equally clear. In short, a country and dominion gained by the sword, must be upheld by the sword; where the conquerors and conquered cannot, and will not ever, from religion, prejudices, and climate, amalgamate. Every native state should be made to subsidize a force of one or more of our regular regiments according to its means or its necessities for internal tranquillity and good government. We should thus at all times have a controlling power over every state; we should render a recourse to arms unnecessary on either side, the governors or governed. Their population deprived of their fertile source of supplying their wants, must necessarily resort to the arts of peace, manufacture and cultivation. And we should also not only render them obnoxious in the event of any foreign invasion, but have a powerful available force to concentrate at almost any point to meet an invading army, whilst our attention would not be distracted by the necessity of guarding against doubtful allies, more really dangerous than the largest invading army that could be brought against us in the field. Such policy would also defeat the great hopes on which any invasion must now be founded of the ability and wishes of the native states to give it every assistance by division. But this is an endless subject and requires volumes.

THE MILITARY MOUTHPIECE.

No. 1.

A Series of letters which have been recently addressed to His Excellency the Commander-in-Chief, by the Editor of the Englishman and Military Chronicle.

Ne vile Fano.
Motto of the Westmorland Family.

As conducting a paper which is systematically and zealously devoted to East Indian military interests, we do not conceive that we shall be at all overstepping the proper limits of our editorial duty, if now that a new, and, we trust, what may be called a permanent, Commander-in-Chief has assumed the governance of the native army, we respectfully offer for his Excellency's consideration, the gatherings of our experience as to the wants and feelings of the Bengal army, and the practices respecting its general economy, which no Commander-in-Chief can be at once expected to know, and which, it may be presumed, will not be so fully and freely communicated to him through any more private channel of information. Your excellency has never, we believe, served before in India, as Viscount Combermere had done, in even a subordinate—a subaltern—grade; so that you have not so much as the guidance of olden recollections to assist your present judgment; and, probably, not a more extensive acquaintance with the general history of the Indian army, than what you may have of that of other, to you, foreign armies; and not even so much so as you very likely have with the Spanish or the French, with or against which, it has, been your lot to serve with very great distinction. But although you had, and doubtless have, a fair portion of what his called historical information connected with the mere war-services of the army now placed under your rule; you are very probably deficient in that minuteness of acquaintance with its character and constitution (so different from those of your own branch of the state-armament) which is indispensible towards its just and beneficial governance, and which your Excellency will, at most, only derive gradually, and by piece-meal, from your principal staff, as occasions may arise in the course of references, offences, and the like, when your enquiries would have to be suddenly directed to particular traits and componencies of the body, and when, after all, the intelligence thus accruing, would, in all likelihood, be partial and circumscribed—intended just to fit the particular exigency, and not calculated, it may be, to insure a just and correct judgment on your part, even as to that. No doubt, your Excellency should place great confidence in your general staff of the company's forces, concerning all matters officially appertaining thereunto; and we are not aware that any of those functionaries are undeserving of such confidence; but all men have their prejudices, and an adjutant general, for example, will have here, as doubtless in England, his favorite regiments, favorite officers, and favorite system of dealing with the army, and in asking for the character of individuals who may come directly or indirectly before you, you may hear accounts of them which may not be true, though not distorted purposely to evade the truth by whoever may be your informant. A staff officer may have been either personally or officially annoyed by some subordinate staff, or by some commanding or other regimental officer; and he will, accordingly, be prone to represent such individual to you in the same colours in which he may look upon him himself, and thus avert your Excellency's impartial favor without there being grounds for so great a punishment. In all such cases your safest course, in the character of a *just* commander, will be to examine your informant somewhat strictly as to his *reasons*, and ascertain by the *facts* on record whether a charge of litigiousness, for instance, may not have arisen from repeated reference to head quarters really caused by the injustice, or the aggression, of other parties, or whether alleged unworthiness for preferment, and a fair share of your patronage, may not be grounded upon qualities which *you* might think should have a directly opposite tendency. The pointing out of mismanagement, for instance, or the suggestion of improvements, or even what in homely language, is called the grumbling of an individual, deeming himself ill-used, are things which, though they may prove irritating in the quarters which they have a tendency (especially the two former) to affect, should not be visited with the penalty of exclusion, or of being made what is denominated a marked man at Head Quarters, so long as they do not involve any disrespect (which even a gentle grumble may not always do!) nor are poured forth in the evident spirit of dissatisfaction, or from the plenitude of ignorance, or the prurient desire of reckless innovation. It will very soon be known, (supposing such to be your intention,) that your Excellency is determined to investigate and judge for yourself, and no more tittle-tattle, nor groundless derogation, will be presumed to be communicated to you, at the peril of your indignation following the discovery of such to have been the case. We have taken the liberty to head these papers with the doubly, (and in both cases honorably and morally) significant motto of the head of your family; and we employ it in the sense which has the personal reference, and which forbids us to insult *you* by offering ought unworthy. It shall be our ambition to render those brief advices not unworthy of your Excellency, in a moral sense, as being essentially true, and in a professional sense, as being characteristically military; and although our opinions may be sometimes found to be wrong, we can venture to predicate, that they will never be found dishonest. So great are the changes which, during the last twelve years, have taken place, in not only the economy, but the material of the Bengal army, that even if you were intimately acquainted with what it was, in these respects, in its palmier state, such knowledge would benefit you but little in estimating it now, with reference to an efficient performance of your duty towards it and its employers as Commander-in-Chief. In the space of time we have mentioned there have been five Governor Generals (not including the Marquis of Hastings, who, however, held office at the beginning of that time,) and your Excellency makes the seventh Commander-in-Chief within the same period; while Colonel Lumley is the fifth adjutant general! We would ask you, Sir Henry Fane, whether, a man of common sense, or a soldier of great experience, can think it possible for an army such as this is (composed of men who by habit and religion [illegible] to go on improving under such a rapid succession of all its principal rulers, each of whom, in these piping times of innovation, has had plans and theories of his own, and none of whom adhered very reverentially to the system which obtained, up to the time when Lord Hastings left the country, of legislating or commanding in consonance with the habits and feelings of the sepoys; but thought only of applying the home system strictly to a different order of beings, whom it was not calculated to improve. Of the Commander-in-Chief above alluded to, the Marquis of Hastings, was the very best, and Lord William Bentinck the very worst, that this army could possibly have had. The former was, in sentiments and appearance, a soldier; the latter was not a soldier in either sentiments or appearance. The former was adored by the army; the latter was detested; and a unanimity of feeling in a numerous body, in estimate of its rulers, is never known to be wrong, though, in some cases, flatterers or partisans may strive to make it appear so. Within these two extremes of official excellence and unworthiness, we are inclined to believe that Lord Combermere was *one* of the best, and Sir Edward Paget, *one* of the worst Commander-in-Chief, that this army could have had; but we make this estimate on a quite different principle (at least the unfavorable part of it) from the other. Sir Edward Paget was, in feeling and manner, both a soldier and a gentleman; and, we believe, that, as an officer for independent command, or service in Europe, he holds a higher place in the opinion of the British army than does Lord Combermere; but he never had the least community of feeling with the sepoy army, and he had no sort of interest in the employment of its chief. He was, so far, unworthy of the honor of commanding it; for he distrusted it without any grounds, and in defiance of the evidence of its authentic and glorious history, and because its discipline was not of the same sternness as that of his own army, he felt angry with the comparative slackness, without ever discerning that the natures of the two sorts of men who filled the ranks of the two armies, did not require, and would not be disciplined by, the self-same system in the self-same degree. In a word, he had no sympathy with the Indian army, and no knowledge of its real character; and, accordingly he left it without regret, and *without experience*, to go and give a virtually incorrect, and an almost, slanderous evidence against it before the British parliament. But Lord Combermere, on the other hand, took a lively interest in his new charge, and seemed to enter into its habits with something like intuition; and as the early part of his rule was distinguished by the capture of Bhurtpore, he gave the army the full benefit of that eclat in his after estimation. He was assiduous in making himself master of all the details of its internal policy and economy; and there was a soldierly and kindly tone in his general orders, which, since the time of Lord Hastings, had not characterised those documents in a like encouraging degree, and to which, since Lord Combermere's own time, the Order Book has been a stranger. Lord Combermere, then, was highly popular in the native army; and though he was not, in the more private part of his official character, so pecuniarily liberal and hospitable as Sir Edward Paget, yet that disparity was only felt by the head-quarter attaches, and certain grades of the Calcutta community; but it was a matter of indifference to the regimental officers—that body which, collectively, forms the *stamen* of this army,—who, at any rate, are made but rare partakers of that kind of festivity, and whose judgments, therefore, are not biassed by its covert flattery or its dazzling profusion. Among the adjutant generals of the already specified time (not, at present, saying any thing of Colonel Lumley,) the only two deserving more than a passing notice, were Colonel Nicoll and Colonel C. Fagan. Colonel Nicoll had held the situation for a good many years under the Marquis of Hastings; and although the colonel was something of a fiddle faddle in office, yet he had a thorough acquaintance with the feelings of the army, and an *esprit de corps* which kept him alive to its interest; while his mildness and amenity rendered him generally liked. But he lost himself in the occurence of the Barrackpore mutiny, and had to quit the appointment in consequence of his lapse of duty. He was succeeded by Colonel Watson, one of those mediocre men who do exceedingly well for *second*, but at once evince, on preferment, their incapacity for *first*. He was followed by Colonel Christopher Fagan, who possessed many first rate qualifications for the office; and though he had some infirmities of temper, yet his acquired politeness, and, we may say, his natural feelings, preserved him from ever falling to the outside of that sphere and behaviour which circumscribe the character of what we term a gentleman. He had a regard for the professional, as well as (if we may say so) the personal, honor of the army, and was an excellent chief of the staff to just such a commander as Lord Combermere, whose natural portion of judgment he could improve by an infusion of his own experience but on none of whose prerogatives he was permitted to trench. He was succeeded by Colonel Beatson of the Watson species; and your Excellency's present adjutant general, then at the head of the commissariat department, was, we may almost say, at the call of the army, not very long after created chief of the staff. Of Colonel Lumley we shall make it our business to speak in a future paper. At present we might be less dispassionate than the subject itself, or the respect due to your Excellency, requires that we should be. We may probably have to ask your excellency how a whole army can escape deterioration under the rule of one in whose justice it has no confidence and whose sympathy it never, even by chance, experiences. As well might national good be expected from an attempt to keep in office an unpopular prime minister! The public voice may be mistaken—the judgment of an army may be erroneous; but as long as that voice, or that judgment, is unqualified condemnatory of a ruling functionary, so long will evil arise from his being forced upon their endurance. But as we have said, we can not now speak patiently of Colonel Lumley:—the press has a long account to settle with that gentleman on its own account, as well as that of the army, for it owes to his acknowledged influence with General Watson whose brief reign has just expired, the revival of an order the sole object of which was to stifle, on your Excellency's arrival, the disposition and the means of the army to proclaim its grievances and discuss in a free and uncompromising spirit all military acts and orders of importance through the medium of the press. [illegible] liberty of our press have an ultimate tendency to evil or to good, there will be no use, and considerable teadiouness, in our stopping to enquire. Let it suffice for our present purpose to say, that it *cannot now be prevented*, and that, as sepoys are not readers of papers, nor any thing of what we understand by the term political *quidnuncs*, it cannot have the same injurious effects upon them, as it might certainly have on an English soldiery whose business it is to obey, without any discussion of the motives of their superiors. The practice in question has assuredly obviated much of that system of small-minded tyranny which some commanding officers were wont to pursue, and which the dread of public reprehension has caused considerably to abate; and we are not aware that the privilege has been abused to any extent, by any groundless or exaggerated complaint, which was not susceptible of prompt and easy refutation by the party arraigned. But the actions of Lord William Bentinck, which were notoriously hateful to the great body of the Bengal army, and highly injurious to its morale, have been loudly, and ably, and perseveringly, denounced; and what was either his disregard of justice, or his habit of deciding without full and fair enquiry, having led to the promulgation of reprimands, and other acts of summary punition, not recognised by the army as the emanations of equity, the consequence has been, that *now* the decisions of the highest authorities are discussed; and if they are not manifestly just, according to the merits, the voice and feeling of the army go in favour of the sufferer, and a general order is, so far, not respected. We believe, conscientiously, that the military administration of Lord William Bentinck has utterly taken away from the general orders that moral powers which formerly caused them to be received by the army as *prima facie* requisite and just; and that they are now suspected of a latent (where there may not be a visible) design of injuring the interests of the whole body or (as the case may be) of ruinning an individual whose proper independence of conduct may alone have given umbrage. Your Excellency's orders will be subjected to a similar ordeal*; but it will very soon be discovered whether you act upon your own judgment of right and wrong, or whether you are prevailed upon to take up the prejudices or the hostilities of those around you, and to let *them* entirely guide you in an official valuation of those who may have excited their malevolence. The time has now arrived, when the consequences of the many shocks, which during the last seven years, have been given to the morale of this army, may be recovered from, or perpetuated; and on the head of no previous Commander-in-Chief has so much responsibility to his country rested as now rests on that of your Excellency for restoring this army to its (we had better not mince the word) *loyalty* of feeling, or precipatating it into the depths of ineradicable discontentment. But we do not use the term *loyalty* in its strong sense of the opposite of rebellion, but only as it signifies that abundant and noble zeal in a service, which is ever prompting to more than the calls of a coldly calculated duty may require, and which involves a sort of individualized affection towards the employer as well as an honest discharge of the strict conditions of a contract. It will be the lot of your Excellency either to restore the Indian army to its pristine state of healthiness, or to reduce it to condition of incurable disease; and we must candidly tell you, that, while we have no doubt whatever that your sole object will be to accomplish the former glorious work, there will be *no* palliation for your failure, of a nature which historical justice would condescend to urge. There can be no midway resting place for your professional fame. If you cannot positively improve the temper of the army, you must inevitably make it worse; for discontentment never stands still, and nothing *cures* it but an eradication of its cause, though it might be temporarily silenced by the bad and dangerous policy of coercion unaccompanied by sympathy. The two parts of your present functions which your Excellency will be called upon to immediately exercise without the possibility of gaining time for local experience, will be the decisions upon general courts martial, and other cases of reference, and the disposal of your extensive patronage at the Head of the Bengal army; but as what we have to say upon each of these subjects must occupy more room than we can devote to one dissertation, we shall enter upon their discussion in a subsequent paper,—*Englishman and Military Chronicle, Sept.* 10.

(*To be Continued.*)

* Since this was penned we have seen your Excellency's first General Order, and, if we may be permitted to say so, an order more calculated to soothe the excited feelings of the army, and to restore the confidence which should subsist between it and head-quarters could not have been issued. It is not only an unusual order from an Indian Commander-in-Chief, but it is well timed, and justifies the fond expectations entertained of your Excellency.

EUROPE.

WAR-OFFICE,—JULY 10.

(*From the Morning Chronicle, July* 11.)

6th Regiment of Dragoon Guards—Captain Francis Brown from the 2d West India Regiment, to be Paymaster, vice Walsh, who has received a commutation.

1st Regiment of Dragoons—Cornet John Chamberlain to be Lieutenant, by purchase, vice Molyneux, who retires; Cornet and Adjutant Charles Field to have the rank of Lieutenant; Lieutenant Raymond John Long, from the 37th Regiment of Foot, to be Lieutenant by purchase, vice Monins, who retires, Weston Gracroft, Gent., to be Cornet by purchase, vice Chamberlain.

2d Regiment of Dragoons—Lieutenant Francis Charles Forde to be Captain, by purchase, vice Hall, who retires; Cornet George Gordon to be Lieutenant, by purchase, vice Forde; Donald John M. Macleod, Gent., to be Cornet, by purchase, vice Gordon.

1st or Grenadier Regiment of Foot Guards—John Arthur Lambert, Gent., to be Ensign and Lieutenant, by purchase, vice Fitz Patrick, who retires.

6th Regiment of Foot—Captain John Dobbs, from the half-pay of the 52d Regiment of Foot, to be Captain, vice John Atherton, who exchanges.

22d Foot—Captain John Goldie, from the 37th Regiment of Foot, to be Major, by purchase vice Crofton, [illegible] to be Captain, by purchase, vice Goldie, promoted in the 22d Regiment of Foot; Ensign Henry Edward Manners to be Adjutant, with the rank of Lieutenant vice Whalley; Ensign Patrick Francis Durham to be Lieutenant by purchase, vice Whalley, Ensign George Green to be Lieutenant by purchase, vice Long appointed to the 1st Dragoons; Charles Augustus Parkinson, Gent., to be Ensign by purchase, vice Durham; John Owen Lewis, Gent., to be Ensign by purchase, vice Green.

55th Foot—Ensign Walter Murray to be Lieutenant, by purchase, vice Dixon who retires; Wm. Peregrine Taylor, Gent., to be Ensign, by purchase, vice Murray.

60th Foot—Captain Henry Edward O'Dell from the half pay of 67th Regiment of Foot, to be Paymaster, vice Henry Biggs, placed upon half pay.

97th Foot—Ensign Thomas Greene to be Lieutenant by purchase, vice Morgan, who retires: Heneage Griffith Wynne Gent., to be Ensign, by purchase, vice Greene.

2d West India Regiment—Captain Richard Borrow, from the half-pay of the 60th Regiment of Foot, to be Captain, vice Brown, appointed Paymaster to the 6th Dragoon Guards.

Royal African Colonial Corps—Quartermaster-Sergeant W. Stuart, from the 97th Regiment of Foot, to be Quartermaster.

BREVET.

Lieutenant Colonel John George Bonner of the Honourable the East India Company's service, to be Lieutenant-Colonel in the East Indies only.

The undermentioned Cadets, of the Honourable the East India Company's service, to have the temporary rank as Ensign, during the period of their being placed under the command of Colonel Pasley, of the Royal Engineers, at Chatham, for field instructions in the art of Sapping and Mining:—

Gentleman cadet William Henry Rees
Gentleman Cadet James Sutherland Broadfoot.

WAR-OFFICE,—JULY 3.

1st Regiment of Dragoons—Lieutenant William Monins, from the half pay of the 18th Light Dragoons, to be Lieutenant, without purchase, vice Vanneck, deceased.

18th Regiment of Light Dragoons—Lieutenant John Allan De Balinhard, from the 92d Regiment of Foot, to be Lieutenant, vice Cox, who exchanges.

16th Regiment of Light Dragoons-Cornet George Thomas Widdrington Pipon to be Lieutenant by purchase, vice Bedford, appointed to the 95th Regiment of Foot, Robert Abercromby Yule, Gent to be Cornet, by purchase, vice Pipon.

3d. Regiment of Foot—Lieutenant Richard Nugent Everard, to be Captain, by purchase, vice Lockyer, promoted; Ensign Charles Peshall to be Lieutenant, by purchase, vice Everard. Richard Herbert Gall, Gent. to be Ensign, by purchase, vice Peshall.

4th Foot—Ensign Frederick Leopold Arthur to be Lieutenant, by purchase, vice Fortescue, who retires. Robert O'Neill, Gent. to be Ensign, by purchase, vice Arthur.

12th Foot—Lieutenant William Bell to be Captain, by purchase, vice French, who retires. Ensign James Lloyd Philipps to be Lieutenant, by purchase, vice Bell. Quinten Swift, Gent. to be Ensign, by purchase, vice Philipps.

22d Foot—Paymaster John Mackenzie Kennedy, from the 70th Regiment of Foot, to be Paymaster vice Willock.

28th Foot—Lieutenant Joshua John Whittingham from the 95th Regiment of Foot, to be Lieutenant, vice Everard, appointed to the 6th Regiment of Foot.

44th Foot—Captain Hon. William F. O'Callaghan, from the half pay Unattached, to be Captain, paying the difference, vice Layard, appointed to the 97th Foot.

47th Foot—Captain Patrick Colin Campbell, from the half pay Unattached, to be Captain, vice George Newcombe, who exchanges, receiving the difference.

60th Foot—Lieutenant Walling Everard, from the 28th Regiment of Foot to be First Lieutenant, vice James M'Carthy, who retires upon half pay Unattached.

2d Foot—Lieutenant James Cox, from the 13th Light Dragoons, to be Lieutenant, vice De Balinhard, who exchanges.

95th Foot—Lieutenant William Devaynes Bedford, from the 16th Light Dragoons, to be Lieutenant, by purchase, vice Collard; Lieutenant John Currie, from the half pay Unattached, to be Lieutenant vice Whitting, appointed to the 28th Regiment of Foot; and Lieutenant William Armstrong Rogers to be Adjutant, vice Collard, who resigns the Adjutancy only.

95th Foot—Captain Henry Lewis Layard, from the 44th Regiment of Foot, to be Captain, vice Richard FitzGerald Holmes, who retires upon half pay Unattached, receiving the differenee.

2d West India Regiment—Captain John Loftus Nunn from the half pay Unattached, to be Captain, vice Hawkins, whose appointment has not taken place.

[All the above are dated July 3,1835.]

(*From the United Service Gazette, July* 11.)

The undermentioned officers have retired from the army this week:—Cornet Molyneux, 1st Dragoons; Capt. Hall. 2nd Dragoons: Ensign and Lieutenant Fitzpatrick. Grenadier Guards; Lieut. Dixon, 55th Foot; and Lieut. Morgan, 97th Foot.

One of the most gallant veterans of the Madras army, Major General Sir Andrew M'Dowell, K. C. B expired at his residence at Grindy, a few nights since, at the advanced age of seventy three. When leaving Fort George last summer for his native country the Governor and Council paid a just tribute of admiration to the long and faithful services of Sir A. M. Dowell, exceeding a period of 51 years in the Madras Army, during which he had frequently and signally distinguished himself.

His Majesty was pleased on the 24th ullimo at the Levee, to confer the honour of knighthood on Colonel Doherty, C. B. and K. C. H., late of the 13th Light Dragoons.

IRELAND.

(*From the Morniny Chronicle, July* 9.)

DUBLIN, JULY 6.—RIOT AT MONAGHAN.—LOSS OF LIFE.—On Friday last an inquest was held in the town of Monaghan on the body of a man named Hughes, one of the persons wounded by gunshots during the Orange procession on the 1st of July. The medical [illegible]sed man's death was caused by gun-shot wounds. Three witnesses were subsequently examined by the Coroner. The next witness distinctly charged a man named Magill with the murder, and an application was made to have this person immediately arrested, it being stated that Magill had been seen loading his pistols and preparing to abscond. The Coroner observed, he had no power to issue his warrant before the finding of a verdict. Two other witnesses were afterwards examined, and at two o'clock the following verdict was returned:—"We find that the deceased, James Hughes, came to his death on the 2d July in consequence of a gun-shot wound, inflicted on the preceding day, as we believe from the evidence, by James Magill, and that a person named Ross was present aiding and assisting." The parties charged as yet remain at large, no warrant for their apprehension having been issued by the Coroner. The deceased was a Roman Catholic; Magill and Ross are Orangemen.

LORD DURHAM.

(*From the Morning Chronicle, July* 10.)

It is understood that LORD DURHAM is to leave England in the course of next week, for his mission at St. Petersburgh. As the EMPEROR will not have returned to his capital from the camp at Kalisch, and from the conferences by which the reviews are likely to be followed, until towards the end of September, his Lordship will probably avail himself of the interval to extend his sea voyage, by proceeding first to Constantinople, and afterwards to Odessa or Sebastopol, whence he will travel to his destination. The Noble Lord finds maritime excursions peculiarly beneficial to his health, and he will avail himself on this occasion of every opportunity of inhaling the fine breezes of the Euxine.

It is but justice to the Russian Minister at our court, the Count POZZO DI BORGO, to state, that the moment he was informed of Lord DURHAM'S wishes in this respect, or rather indeed of the recommendations presented to his Lordship by his physician—the Noble Lord being, in fact, only lately convalescent—his Excellency took immediate steps for apprizing the Authorities on the Russian coasts of the Black Sea, of Lord DURHAM'S intentions, with a view to the adoption of such measures as may be deemed necessary for receiving his Lordship eveywhere in the most distinguished manner.

Lord DURHAM, in passing up the Bosphorus, may probably be induced to spend a few days at Therapia, with his noble friend and relative Lord PONSONBY.

It is expected in the diplomatic circles that Lord DURHAM'S mission to St. Petersburgh will solve some very important difficulties, which have for some time served to complicate the relations between Great Britain and Russia.

LIVERPOOL MARKET, JULY 11.

COTTON.—Nearly all the business in Cotton to-day was for American descriptions to the extent of 1,500 bags. We are without change in prices, but the market closes with a steadier feeling.

FOREIGN PRODUCE.—There continues a very good demand from B. P. Sugars, and for strong brown and middling qualities rather higher prices have been obtained: the sales amount to 1,100 hhds.; 4,630 bags of Mauritius have also been taken, from 52s to 60s, with 1,200 bags of good white Bengal at 64s 3d to 64s 9d per cwt. —The sales in Foreign, in consequence of scarcity, are confined at 100 boxes yellow Havannah at 30s per cwt. There has been a fair demand for good Molasses, and 440 puns have been sold chiefly Barbadoes, at 23s, and middling Demerara at 20s per cwt, with a parcel of inferior Trinidad at 19s per cwt, since which the business has been checked, in consequence of the refusal of the Customs to allow drawback on bastard Sugar of the customary quality. Coffee—The sales of Plantation are to a moderate extent, comprising 120 casks of Jamaica and a small parcel of Demerara, at previous rates. 55 bales of Mocha were taken at 78s per cwt. Of Foreign, 150 bags St. Domingo sold 52s 6d, to 52s 9d and 100bags Brazil at 52s 6d to 56s per cwt. 50 bags of Trinidad Cocoa are reported at 47s per cwt; and 50 brls. of Jamaica Ginger at 8*l* to 9*l* per cwt. There is no alteration in Rum; 150 puns have been sold at 3s 1d to 3s 5d per gallon for good to fine Demerara, and 2s 2d to 2s 3d per gallon for ordinary Leewards. 450 bags of Bengal Rice are reported at 10s 6d to 13s per cwt. in bond.—*Morning Herald, July* 13.

OLDHAM ELECTION.

(*From the Morning Chronicle, July* 10.)

THE DECLARATION.

WEDNESDAY, JULY 8.—At ten o'clock this morning the Returning Officer made the official declaration of the state of the poll, when the numbers were—

Mr. Lees	394
Mr. Cobbett	311
Majority for Mr. Lees	13

EAST INDIA MARITIME SERVICE.

(*From the Morning Chronicle, July* 11.)

Reply from Lord Glenelg to the Address of the Officers of the East India Company's Maritime Service, lately presented by Deputation to his Lordship.

GENTLEMEN—I receive with gratitude the Address you have presented to me.

I thank you for your congratulations on the [illegible] bestow on me.

Well may I deem it also a matter of congratulation that I should be thought worthy of the distinction, the value of which is enhanced by a recollection of the quarter from which it issues, and of the circumstances to which it has relation.

On the merits of the service of which you are members I need not dwell. Created in a time of conflict and rivalry, it has from its origin, down to its latest period, won for itself a double meed of renown—uniting the praise of peaceful trade with that of military achivement. Signalized alike by the conduct of a commerce the most splendid on record, and by deeds of arms second to none in the annals of naval fame, it has indentified its memory with the heroic, no less than the mercantile history of England.

Gentlemen, in the discharge of a great national trust, it fell to my lot to carry into effect a measure to which you have alluded with a delicacy which demands my best acknowledgements.

Among the painful necessities imposed on me by the proceedings of 1833, there was not one which I felt more deeply than that which placed you in a new character before the East India Company. Yet to you it is that I am indebted for this testimony of approbation and confidence.

Gentlemen, you have done justice to my admiration for your service, and to the public principle by which, on an occasion of singular perplexity, I endeavoured to shape my course. To you I must leave the task, to which I am unequal, of further doing justice to the feelings which I accept the declaration of your wishes in my favour, and of your friendly interest in my future career. GLENELG.

THE MORNING HERALD,—JULY 11.

The Bill for allowing prisoners charged with felony to make their full defence by Counsel has at length passed the third reading in the Commons not without a discussion, in which all the old stale and often-refuted arguments which have ever been brought to bear against this necessary measure of evenhanded jnstice were repeated and demolished. To Mr. Ewart, for his perseverance in this measure, the friends of impartial justice have once more to return their thanks, and also to those Honourable Members by whom the Bill was actively supported. Among these we may mention Sir G. Strickland, Mr. Lennard, Mr. Hardy, Mr. C. Buller, and Mr. Ruthven. By the premature and lamented death of Lord Suffield the Bill as well as every question of justice and humanity, has lost an earnest and able advocate in the Upper House of Parliament.

WHITEHALL—JULY 13.

The King has been pleased to direct letters patent to be passed under the Great Seal, appointing Charles Hanbury Tracey, Esq.; the Hon. Sir Edward Cust, Knt.; the Hon Thomas Liddell; George Vivian, Esq; and Samuel Rogers, Esq.; his Majesty's Commissioners for examining and reporting upon the plans which may be offered by the competitors for rebuilding the Houses of Parliament.—*Morning Herald, July* 15.

LORD WILLIAM BENTINCK.

(*From the Morning Chronicle, July* 13.,

The account of the arrival of Lord WILLIAM BENTINCK at Portmouth, was yesterday received at the Admiralty, by telegraph.

PARLIAMENTARY.

(*From the Morning Cronicle, July* 14.)

Lord JOHN RUSSELL announced last night that he had received his MAJESTY'S commands to state that he had been graciously pleased to place at the disposal of the House, for the purposes of the Irish Church Bill, all his MAJESTY'S interest in any benefices and ecclesiastical dignities of the Church of Ireland. The announcement was received with loud cheers.

It was stated by Lord JOHN that he did not intend to proceed with the Irish Church Bill until the Municipal Corporation Bill had been read a third time. It was his intention, he said to propose this day that the Municipal Corporation Bill should be recommitted *pro formâ*, for the purpose of introducing into it the new clauses, and the amendments prepared for that purpose. If the Report were received on Thursday, the Bill might then be read a third time on Friday. If the Bill could not be read a third time on Friday, the third reading must stand over until Monday: and then, if the discussion on the third reading should take up any time, it would be impossible to go on with the Irish Church Bill on Monday.

Sir ROBERT PEEL thought it would be impracticable if the Municipal Corporation Reform Bill were recommitted this day, for the Report to be received on Thursday. Mr. WILKS seemed to take the same view of the matter, and Lord JOHN merely observed that if the discussion should continue longer than he anticipated, he must of course submit, and the further proceeding with the Irish Church Bill must be postponed.

We understand that the University of Oxford has conferred on the Rev. Dr. Chalmers the degree of LL.D.; so that the Doctor, in addition to D.D., is now LL.D., and member of the French Institute—liberary honours which, we suppose, never before met in the person of a Scottish clergyman.—*Glasgow Guardian.*—*Morning Herald, July* 14.

DEATH OF THE BISHOP OF FERNS.

(*From the Courier, July* 15.)

We [illegible] that we have to announce the death of that distinguished Prelate and highly accomplished scholar, the Right Rev. Thomas Elrington, D. D., Lord Bishop of Leighlin and Ferns. His Lordship arrived in Liverpool from Ireland on Wednesday last, by one of the Dublin steam.packets, on his way to London, to which place he was proceeding on business connected with the Irish Church Bill recently introduced into Parliament by Lord Morpeth. The Rev. Prelate on his arrival here became an inmate of the Waterloo Hotel, where he expired on Sunday evening. His Lordship has passed his 70th year. Dr. Elrington was consecrated Bishop of Limerick in 1820 and was translated to the united sees of Leighlin and Ferns in 1822. The *Liverpool Standard*, from which paper the above announcement is taken, says that a great degree of mystery was observed respecting the immediate cause of the Rev. Prelate's death, and that the landlord of the hotel was anxious that the death should not be announced in the newspapers. According to the Irish Church Temporalities Act, the Bishopric of Ferns is one to which the Bishopric of Ossory, had it become first vacant, was to be united; but Ferns itself being first vacant, the Bishop of Ossory becomes by virtue of the Act, Bishop of Ferns.

THE SPANISH EXPEDITION.

(*From the Courier, July* 15.)

This morning, at ten o'clock, upwards of two hundred of Colonel Kinloch's Lancers, mustered on Vauxhall bridge, preparatory to their departure from town. They were reviewed by Col. Kinloch, and several officers, who expressed themselves highly pleased at their appearance. The Adjutant General Lemarchant having now assumed the duties of his department at the Spanish Office, Colonel Robinson, who will command the second regiment of infantry, has relinquished the arduous duties he has hitherto fulfilled, and proceeds this evening to Scotland on business connected with the expedition. A Rifle regiment is to be formed.

WEST INDIES.

(*From the Courier, July* 15.)

We have received Jamaica Papers to the 10th of June and they fortunately contain no news. It has rarely, we believe, before happened that so many months have elapsed as since the passing of the Abolition Act, without an insurrection, so that, whether the negroes work or not, they manifest an increased love of tranquillity. In one of these Journals it is admited that the apprentices now work, but it assigns as the cause, the system of compulsion which yet exists: and the Journalist expresses alarm for the future, when apprenticeship shall have come to an end. We have not of late seen in those journals a more convincing proof that, at present at least, the island is comparatively prosperous, and, they finding little to complain of, hunt out evils in the future.

We have also received Demerara Papers to May 29, when that colony was tranquil and prosperous.

FRANCE AND SPAIN.

(*From the Courier, July* 15.)

The *Quotidienne* has a somewhat curious speculation. It says that LOUIS PHILLIPE, by concuring in setting aside the Salic law in Spain, has restored that branch of the Bourbons to all their original rights, and that consequently Don CARLOS has a better claim to the Throne of France, after the duke of the BORDEAUX, than LOUIS PHILLIPE. Don CARLOS is, therefore, put forth as the future King of France, and the rallying point for the Legitimatists. The *Quotidienne* seems to forget that this is giving up the claim of Don CARLOS on Spain, and acknowledging that he has no chance of succeeding there. The news from France, unimportant as it is, will be found under the proper head. Nothing in it is remarkable but the escape of several prisoners from St. Pelagie, which is said to have been promoted by the Police. When we suppose, according to the boasts made of this Police, that it is every where, and sees and knows every thing, and has its agents in every corner, it is a natural inference from these doctrines that it must connive at every thing wrong which takes place. The accusations are the just consequence of the assumption. That either is true we do not say.

Some of the Paris Papers announce that MORENO, who has been appointed to the chief command of the forces of Don CARLOS, is to march on Vittoria.

Colonel Sir George Berkeley is appointed Lieutenant-Governor of Malta, *vice* Major-General the Hon. Sir Frederick Ponsonby.

Despatches were received on Monday, at the India House, which announce the safe arrival of Lieutenant-General Sir Henry Fane, the Governor and Commander-in-Chief, in India.

The beautiful mansion Longford House, near Newport, Salop, the seat of——Leake, Esq., was nearly destroyed by fire on Friday night last.

The remains of the late Lord Napier were, on Saturday last, landed from the ship Orwell, in the East India Dock, and reshipped on board the Soho steam-ship, for interment in the family vault in Scotland.

It is reported in the military circles that a small promotion is expected to take place immediately, and a regulation respecting the rank of the two services,—*Albion.*—*Morning Herald, July* 15.

THE SPANISH EXPEDITION.

The 7th Regiment of Irish Infantry, commanded by Lieutenant-Colonel Dickson, and the other regiment raising in Ireland, will, it is expected sail for Spain this day week. In the course of 15 days it is expected that about six or seven thousand of the British will be afloat. Colonel Kinloch's 200 lancers are to proceed to-morrow, under the command of Lieutenant Miller, to Kingston-on-Thames, where a depot will be formed for the present. The second regiment of Infantry is to be under the command of Major Ellice; Major Sloane is to command the third. The sixth regiment, raising in Scotland, will be commanded by Major Beatson, under Lieutenant Colonel Tupper.

SPANISH AUXILIARY FORCE.—We understand Major Beatson has arrived in Edinburgh, for the purpose of raising a regiment for the service of the Queen of Spain, to be called the 6th, or Scotch Regiment, and to be composed entirely of Scotchmen. From the number of enterprising young men in Scotland, we have no doubt this opportunity of seeing service will be eagerly embraced. The Lieutenant-Colonel of the regiment is to be Lieutenant-Colonel Tupper, at present on full-pay of 23d Fusileers, a distinguished officer, well known in the army. Major Beatson is of a Fifeshire family. son of Rob. Beatson, Esq., of Kilrie and Bossend Castle. Graham Hunter, Esq., son of General Hunter, of Broughty Ferry, is one or the Captains of this Scotch regiment.—*Correspondent of the Scotsman,—Morning Herald. July* 15.

STOCK EXCHANGE.

We believe that several parties have been preparing themselves to make offer for the contemplated West India compensation loan, to the amount of 10,000,000*l.* which after all, will be a direct loan. It has however been stated this afternoon that in consequence of the limited amount of bullion which the Bank of England at present retains, and is for many months to come likely to be able to retain, the contract for the expected loan has been advised to be postponed until the turn of the present year, when the leading monetary characters expect (perhaps but vainly) that the anticipated resuilt of a good harvest, and the settlement of the Peninsular affairs, will better enable the Bank to support the additional drain upon the public purse. In the interim, we believe that the Government will avail themselves of the balance received from the East India Company, amounting to upwards of five millions, now in the hands of the Bank of England.—*Morning Herald, July* 15.

TOBACCO MONOPOLY.—The question of the continuance of the tobacco monopoly having been agitated in the French Chamber, a committee was appointed to report as to the practicability and desireableness of taking the exclusive purchase and sale of tobacco and snuff out of the hands of Government. Sir Henry Parnell and Dr. Bowring have been consulted by the committee, and drew up a reply which has been very flatteringly received by the French Chamber reom mending the entire abolition of the monopo-cy Nothing is more likely to consolidate the

friendly feeling which exists between the two countries than the interchange of the opinions of public men on matters of general interest.

THE SILK TRADE.—Yesterday the East India Company's quarterly sale of Bengal raw silks commenced at the India House, and was numerously attended by the manufacturers and others interested from diffrerent parts of the country. The Company's declaration consisted of 2,000 bales of Bengal raw silks, and a small quantity of St. Helena silk,—The quantity of private trade silks declared for sale was not above 250 bales of China filatures. On the average prices from 5 to 7½ per cent. higher were realised than at the present sale, In the course of yesterday 713 bales were got through ; 553 were sold, and 160 refused at the upset prices, the quality not being good.—*Courier, June* 23.

THEREVENUE.

(*From the Spectator, July* 11.)

On the account of the revenue for the year ending on Saturday last, there is a decrease of 1,758,886*l*., and on the account for the quarter a decrease of 656,407*l*. In the Customs for the quarter, there is an increase of 384,420*l*. ; and in the Excise a decrease of 551,461*l*. The Tea duty has been transferred from the Excise to the Customs, and thus has swelled the Customs, and in the same proportion lowered the Excise. The repeal of the House Tax, and some other taxes, accounts for the decrease of 425,036*l*. in the quarter's taxes.

IRELAND.

(*From the Spectator, July* 11.)

The *Dublin Evening Post* contains a challenge from the Revered T. Macguire, called familiarly "Father Tom." to the Exeter Hall agitators. He offers to meet them publicly, and hold a disputation, either in London or Dublin. We give an extract from this rather amusing document.—

"Lords, Reverends, and would-be Reverends —I owe you no apology for the publication of this letter. Your late 'fantastic tricks before high Heaven.' your crusading proclamations. scandalous calumhies, reckless falsifications, timekilling speeches, and hypocritical challenges at Exeter Hall, will account for it sufficiently to yourselves and more than justify it to the British public. Had you confined your holy horror, your whining, but not very shining denunciations, to the carotid-artery-cutting principles of Peter Dens, as you affect to believe them, your clipping and pruning of that luckless author, your distortions of his meaning and suppression of his subsequent explication, had probable passed away without censure by escaping public exposure. But since your political detestation of Popery—religious you entertain none—has stultified you into a clumsy attempt to identify the religion of Catholics with the syllegistic ilncubrations of Mr. Peter,' I shall inflict upon you that salutary, castigation which your theological knavery and logical quackery have so long and so richly deserved.'

The tribunal to decide which side has the best of the argument, Mr. Macguire wishes to be composed as follows.—

"Six English, or Irish, Catholic gentlemen, to be chosen by you, and six English Protestant gentlemen of the Church of England, to be chosen by me ; the foreman to take the chair. The audience to be admitted as at the Dublin discussion. When the discussion shall have terminated, the twelve jurors to declare individually, upon their honor' who had the best of the disputation. The verdict of the majority to be final and decisive. There will be no difficulty in arranging minor preliminaries with me.

"P. S.—I shall meet none but a Church-of England parson, except the noble Arcadians, the intellectual Kenyon and the immaculate Roden. The parson must not be an apostate. The spiritual-lofty Lord of Exeter is especially invited."

EMPEROR NICHOLAS.

(*From the Spectator July* 4.)

A conspiracy to overturn the throne of the Emperor Nicholas was discovered in St. Petersburg, in the course of the month of May ; and more than sixty persons have been arrested on a charge of bein ; engaged in it. Such is the secrecy with which the proceedings of the Russian Government are conducted, that the news of this affair only reached Paris a few days ago.

CONSPIRACY TO ASSASINATE THE KING OF THE FRENCH.

Letters from Paris mention the discovery of a conspiracy to assassinate Louis Philip. A considerable number of persons have been arrested on suspicion of being implicated in the plot ; and the courtiers and public functionaries have visited the King at Neuilly, to congratulate him on his escape. It is said that his Majesty was to have been assailed on his return from Neuilly, to the Tuileries ; and that papers have been found on the persons arrested, which leave no doubt as to their treasonable designs. Still it is rather singular that the Ministerial journals are quite silent on the subject ; and the *Courier Français* doubts the existence of the conspiracy. It appears that the *Bon senes* and *La France* were the papers which first communicated the intelligence, be it true or false, to the public ; they are both Opposition journals.

Charles the Tenth and the Duke de Bordeaux are very unwell ; and the Carlist party in France is consequently much alarmed. It is said that Dupuytren, the celebrated French surgeon, who attended the Dutchess de Berri from the time of the Duke's assassination to that of the birth of the Duke de Bordeaux, always feared that the effects of the infirm state of the mother's health at that period would show themselves in her son as he advanced towards manhood.—*Spectator, July* 11,

The Sultan had refused permission to the British Government steamer to proceed to Trebizond with the Envoy to the Court of Persiae, on the ground that the Porte was bound by treaty not to permit the entrance of any armed vessels except those of Russia, into the Black Sea.—*Ibid.*

ANNUAL MEETING OF THE CHURCH MISSIONARY SOCIETY.

The Venerable Archdeacon Corrie, (Bishop Elect of Madras,) in seconding the Resolution observed, that the commencement of the diffusion of religious instruction in India might be dated from a concert amongst the Christians of Calcutta, who had united in earnest prayer to God that he might send labourers into that vineyard. The sceptic might possibly smile at the statement, but it was nevertheless true, tnat it had pleased Almighty God to hear that prayer, and to bless the exertions of those who had made it. He was sorry, however, to state, that the first efforts to disseminate the truths of Christianity in India had not been patronised by those who were then in power. On the contrary, they had done all that in them lay to discountenance, and even to oppose, the first missionary efforts. In 1806, when he was in Bengal, there were only two places for religious worship of the Established Church, but beyond the confines of Calcutta there was no place of any kind. The troops used some of them to have prayers read to them in their barracks. Others were drawn up for that purpose on the parade, where the chaplain used to read a selection of prayers and a short sermon, but the full service of the Church of England used not to be gone through. Now, however, happily the case was different. There were six places of worship belonging to the Established Church in Calcutta, besides which divine service was performed in a chapel belonging to the orphan school, where any person that chose might attend. In addition to these, there were places of worship belonging to the Scotch Church and others. It also gave him pleasure to be able to state, that there was a very general disposition on the part of the British residents in India, to promote the work of Christian instruction. Efforts were now made to diffuse the blessings of education as well amongst the native as the many of our countrymen high in rank in that part of the world, they had shown an ardent disposition to support missionary labours. It was certainly a serious fault in many persons connected with the Government in India, that they should so long have refrained from encouraging any attempts at educating the natives, and that it should have been acted upon as a part almost of British policy to keep them in ignorance. No doubt it was done through a mistaken motive, but that motive no longer existed, and it was found that in proportion as means of education were afforded to, and embraced by, the natives, so were the numbers of converts to Christianity. He remembered many years ago, when at Serampore, that he visited a missionary family. At that time he found there were fifty converts in that place. Their number had since increased to fifteen hundred. (Applause.) He had had many opportunities of witnessing the labours of the missionaries, and their exertions and sacrifices were scarcely credible. In one of his journey's he visited the Baptist Missionary Chamberlain. That indefatigable man lived in a matted bungalow, his principal food at the time, a kind of vegetable curry, and his drink plain water. In a corner of a little garden opposite his house was placed the tomb of his wife who had accompanied him on the mission, but who had fallen a sacrifice to the climate. When he visited him, the missionary was sitting in his lonely residence with his only child by him. He received him (Archdeacon Corrie) with great cordiality and kindness, and though evidently his condition was not that of comfort, he made no complaint. The poor man soon afterwards fell a sacrifice to his great labours. He mentioned those circumstances for the purpose of showing that in order to promote missionary afforts in India, greater attention should be paid to the convenience and comforts of those who devoted themselves to the arduous duties of a missionary life. They should have houses substantially built, the floors being raised to a certain height from the ground to guard against damp, and otherwise so constructed as effectually to exclude the heat. The Rev. speaker, after adverting to the necessity of erecting schools, and to the great success which had attended the translation of some books of the Pentateuch into the Arabic, some which were declared by good Arabic scholars to be in a style equally pure with the Koran itself, proceeded to impress upon the Meeting the great necessity of educating the native youth in the same manner as the Christian, but without enforcing any departure from their native habits. There were, he observed, at present in Calcutta four native youths who had been converted to the Christian faith, and were prepared to teach the truths of Christianity to their Hindoo brethren. One of these, who was of the highest caste of Bramhuns, had been converted by the missionary labours of the Scotch; another had been converted by the means of a military officer and a young merchant. He stated these facts to show the important results which might be produced if individuals would exert themselves, each in their particular sphere, for the furtherance of missionary objects; In fact, every sincere Christian believer in India had opportunities of being a missionary in his own way; and, if embraced, those opportunities would tend greatly to promote the efforts of those whose whole lives were devoted more immediately to missionary purposes. Great difficulties which had formerly opposed the conversion of the natives did not exist at the present day. The Rev. Gentleman then proceeded to enforce the necessity of constant and earnest prayer for the Divine Grace on those who were engaged in these labours, and on all those who were engaged in the religious instruction of others.—He had been often struck with the beauty and simplicity of that prayer in our Liturgy which said, "That it may please thee to illuminate all bishops, priests, and deacons with true knowledge and understanding of thy Word, and that both by their preaching and living they may set it forth and show it accordingly." There was then that prayer said after the Lord's Prayer. "Eadue thy ministers with righteousness, and make thy chosen people joyful." The Rev. Gentleman, after again enforcing the necessity of invoking the Divine assistance by fervent prayer went on to observe, that if tender mothers and kind and affectionate relations could see what he had seen in India of the effect of religion on the minds of young officers and others in the employment of the Government—if they could observe how effectually the restraint of religious feeling had kept them from those excesses which, much more than the climate, tended to destroy health and bring to a premature grave, they would, if it were only for the sake of their relatives, support such a Society as the present, the influence and example of whose agents in India had been productive of such happy effects. (Applause.)

The Rev. W. Yate, Missionary from New Zealand, was very warmly greeted on his coming forward to second the Resolution. That Resolution, he said, touched not only a string, but a chord in his heart : and he felt assured that, if it was unanimously adopted by the Meeting, as he had no doubt it would be, he should have fulfilled the object for which he had returned to his native country, namely, to obtain fresh aid for the peculiar and important mission in which he had for some time past been engaged. Having read the Resolution, he said, that in New Zealand the door was now thrown wide open for the admission of Christian missionaries, so that they might go east and breadth of the land, (Hear.) He might indeed say that there was scarcely an individual who was not ready to receive instruction by means of the schools and by means of a preached Gospel, if there were missionaries to provide them such instruction. There were seven stations occupied by the Society's agents ; some of the circumstances connected with the establishment of which he briefly stated. The first was Tepuna, the second Kerikeri, the third Paihia. The fourth station, that at which he had chiefly laboured, was Waimate. The natives had come down in great numbers, earnestly praying that they might receive instruction, and that, to use their own mode of expression, their hearts might be so bothered with the love of Christ, that they might no longer be able to act as they had done. (Hear.) The fifth station, Kaitaia, was formed in consequence of earnest requests on the part of the people, that they might receive the benefits of instruction. They had seen the good effects resulting from such instruction among their neighbours, and were anxious that they might enjoy the same results. They had formerly been in a state of almost continual warfare : and they wished, they said, to have their clubs broken in two ; to have the bullets taken out of their muskets ; to have the points knocked off their spears ; and to live as brethren in peace and love, as those were doing who had received instruction. (Hear.) When the brethren found that these people amounted to nearly 5,000, and that they lived at a considerable distance from thence, it was immediately determined to form a missionary station among them. A chapel was built, schools were formed, about 90 men and women had been brought under the influence of Christian society. (Cheers.) The sixth station was on the banks of the Thames, in a place where the missionaries had long been anxious to labour. The people to the southward had long been in the habit of fighting with the Bay-of-Islanders ; they had made great depredations upon the people ; they had destroyed numbers of their tribes ; and the enmity seemed to be increasing. They had told the missionaries that if any of them from the Bay-of-Islands attempted to go down and live there, they should not remain there long, for that they would drive them away, or destroy them. But God had allowed the missionaries to interfere with success. Three thousand of the Bay-of-Islanders had been prevented by their means from engaging in the work of destruction. Some persons were sent down at the risk of their lives to requestthe missionaries to give the same instructions to them which they had given to their countrymen. The missionaries had met with great encouragement in the work which they had engaged in among the people ; and their success might especially afford encouragement to Sunday school teachers. Formerly, they had not been allowed to land at that place ; but on the occasion to which he referred, they were met by fifteen hundred of the natives ; and when they landed, some of the chiefs said that it was their intention to make some speeches. (Laughter and cheers.) They called first upon an old chief, who spoke for nearly an hour, and who employed terms nearly similar to those employed by the people at Kaitaia, on a former occasion. "The missionaries," the chief said, "he was sure were come to that place to blunt the points of their spears—to snap their clubs asunder—to draw the bullets out of their muskets—to bury their bayonets in the ground—to bring this tribe and that tribe together—and to make them all to live in peace." (Cheers.) A loud shout then burst from the whole assembly. "We will have them ! We will have them ! And then this tribe and that tribe shall live in peace, and we shall no longer kill each other as we have been accustomed to do." (Cheers.) That gave the brethren great joy, for it convinced them that the Lord was at work among that people, though they had not been aware of it. The people were very anxious for an answer. The missionaries told them that when they were about to engage in any work it was always their custom to seek guidance and direction from God. "Well then," they said, seek guidance and direction from God now." He (Mr. Yate) told them that it was the intention of the brethren to hold a service, and after that explain their views and intentions as to the request the chiefs had made. He gave out a hymn, and, with five or six boys whom he had taken with him, raised a tune : to his great astonishment he found that the majority of the people not only knew the words of the hymn, but joined in the tune to which it was sung. When he began to read the Church service, his astonishment increased to find that they united in the confession, and in the various responses with all their hearts and voices. The circumstance which had led to that which so astonished him was afterwards explained. A boy, a sort of slave, who had lived with him, and who had been redeemed with two or three blankets, had gone among them while on a visit to his relations, and had taken with him his prayer and hymnbooks ; and with the little knowledge he had obtained, he had established a sort of school, where he taught those who went to sing the tunes he had learned, and to join in various portions of the service of the Church. That accounted for the manner in which, as with one voice and heart, they joined in the beautiful responses of the Liturgy on the occasion to which he had referred. (Cheers.) But he would proceed to state some facts, as to the general operations of the missionaries. In a journey which he had taken, nearly five hundred miles from the Bay of Islands esting. The people wished particularly to receive Christian instruction, though they did not know exactly to what it might lead. At one place he had conversed with them about his going to England, for the purpose of obtaining assistance. As he lay in his tent at night, he heard some of the natives conversing together. "We must hold a committee," they said, "about keeping him here. We must not let him go." (Laughter and cheers.)" He says he is going to England, and the ship is here to take him but he shall not go. He shall be our slave ; not our slave to fetch us wood or to draw water for us ; no, but our talking slave," (Laughter and cheers reapeated.) "Yes, he shall be our slave to talk to us and to teach us. Keep him we will!". Having overheard their conversation, he was prepared to meet them in the morning. He stated the case fairly to them, and pledged himself to use all his influence to get them two missionaries who might give them the instruction they were so desirous of receiving. It was for that audience to say whether he should accomplish his object before his return. (Cheering.) Mr. Yate then related another interesting occurrence, A ship had entered the bay, and a man had enticed some of the natives on board, and proceeded with them to the Bay-of-Islands were he diposed of them as slaves. The missionaries succeeded in having the lads given up to them. They gave them suitable instruction, with the intention of having them restored to their friends, They afterwards went with them for that purpose. Their friends had given them up for lost, and had gone through their various superstitious customs, weeping, cutting themselves with knives, and so on. When they got within sight of the natives in their vessel, and told them that they were the missionaries, and that they had brought with them their lost friends, they were utterly astonished ; they appeared in an ecstacy of joy ; they leaped, they danced, they rubbed noses, and in every possible way expressed their delight. They collected together heaps of food and potatoes, and laid them at the missionaries feet, urging them to stop till they had eaten all up. (Laughter and cheers.) If that numerous assembly could but have witnessed the joy with which those five and twenty slaves were received by their wives, mothers, sisters, and brethren, he was sure they would have been highly delighted. Cheers.) And if the missionaries had only been successful in restoring those twenty five slaves to their relations and their homes, he was convinced that they would not have been sent out by the Society in vain. But he would advert to the schools, in which large numbers of all ages were receiving instruction (Much cheering.) They had also two hundred and fifty infants in their infant schools (cheers), and many more were very desirous of receiving instruction, which the missionaries had not at present the means of imparting. Every kind of useful art also had been introduced among the natives. The missionaries do not now find it necessary to employ Europeans in making bricks, in building, in making roads, &c. As to the more immediate and direct objects

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of the mission, such as itinerating from place to place, and preaching the Gospel, much more work offered itself than they were able to perform. Scarcely a day passed without their preaching, and many persons who lived at places that were distant earnestly requested visits from them, if it were only for a few days, offering to make roads on purpose for them, and to afford them, every possible facility. (Cheers.) It had not always been so; but a short time before the very same people would have thrown every difficulty in the way of the missionaries who wished to visit them. They tabooed (made sacred) the roads that the missionaries might not traverse them, and declared the rivers sacred to prevent them from crossing them. The natives in general were not only anxious to receive instruction of a regular kind, but they wished the missionaries to make laws for them. They consulted them as casuists; they sought counsel of them as to matters of peace and war; and there were few occasions on which they did not refer to them. In such matters he and the brethren at Walmate were almost daily employed. Then, the natives were adopting all the customs of the Europeans. They wished for the introduction of the various rites and ceremonies of the English Church, as to marriage and other things. Their various superstitions were gradually, or, rather, rapidly dying away. (Cheers.) When he told the audience that there were hundred New Zealanders who had embraced the Gospel of Christ, and who were aiming to live in consistency with its sacred requirements, he thought they would soon come to the determination to adopt the Resolution; and while they were grateful to God for the signal success with which he had graciously crowned the labours of his servants in New Zealand, that they would also express their cordial approbation of the vigorous prosecution of the Society's operations in that mission, by its gradual extension as circumstances might providentially admit. (Cheering.) He had attended the deathbeds of upwards of forty natives, and had witnessed some of those scenes which were so delightful to a genuine Christian. He could not express the pleasure he had felt, on some of those occasions, at witnessing the firmness of their faith, the sincerity of their love to Christ, and their joy and triumph in the prospect of dissolution. He had often been ready to exclaim with the prophet, though he trusted in a very different spirit, "Let me die the death of the righteous and let my last end be like his!" (Hear, hear.) Such expressions as the following had often proceeded from the lips of dying New Zealanders: "O! where shall I come and appear before God?" "When shall I have nothing but love in my heart" "When shall I be like my Saviour?" Their cruelty was diminishing war was less known, infanticide was likely to be altogether abolished. (Hear.) In course of the first few year of his residence in NewZealand he had witnessed six different cases of infanticide: he had seen mothers break the necks and dash out the brains of babes who hung at their breasts; but in the course of the last four years he had not witnessed one case, nor had he heard of one, except in the vicinity of the harbours, where the natives had been injured by their intercourse with licentious British sailors. (Hear, hear.) It would, doubtless, be asked, what were the means which had been employed to effect such important changes? He could not but recollect for how many years the patience of the missionaries, and the patience of the Society had been tried, and how God seemed determined, as it were, to ascertain how far they were willing to sow, though they might not receive an immediate recompense. The means which had been employed were, first, the preaching of the Gospel; a free and full offer of salvation through the blood of the cross to all who were willing to receive it, however evil their former characters might have been. Then, there was the instrumentality of the schools, by means of which 800 natives had been enabled to read the Word of God for themselves, while hundreds more were able to read so as to make out the meaning, though not so as to be fully intelligible to others. (Cheering.) But of all the means employed on which God seemed to stamp his peculiar blessing, he would mention the Liturgy of the Established Church. (Hear, hear.) It was so simple; its confessions, its praises, its petitions, came so fully home to every case; it was so suitable, from the universality of its character and the extent of its petitions; it was so calculated to bring every proper devotional feeling in exercise, that it had been one grand means, not only of promoting Christian knowledge, but of advancing the soul in the experience of grace, and leading it on in the ways of God. (Hear, hear.) While he had heard thousands of the New Zealanders lifting up their hearts and their voices in prayer and in praise to God in the language of the national Liturgy, it had filled his heart with gratitude to that God who had ever suggested it to the minds of his servants to indite that form of sound words. (Cheers.) When it was known that he was about to visit England, several of the natives wished him to be their mouth to the Christians of England. Some of them wished him to be their hand and their fingers. (Laughter.) One of them, in particular, had asked him (Mr. Yate) to be his fingers; to whom he replied, "Yes; I will put down on paper what you wish." The native referred to had supplied a King's ship with a cargo of spars, and he wished particularly that the King of England should know it. The letter was written in the native language at his own dictation, and he afterwards copied one of the marks on his own face, as the signature. Mr. Yate said he would read as literal a translation of it as the language would allow;—Here am I, the friend of Captain Sadler. The ship is full and now about to sail. I have heard that you (this letter was addressed to His Majesty William the Fourth.) I have heard that you were afore time captain of a ship. (Laughter.) Do you therefore examine the spars, whether they be good or whether they be bad. Should you and the French quarrel, here are some topmasts for your battle ships. I am now thinking about a ship for myself; a native canoe is my vessel, and I have nothing else. Native canoes often upset when they are filled with potatoes and other matters, for your people, I have put on board the Buffalo, a Mere Pounami, and two garments; these are all the things which New Zealanders possess. If I had any thing better I would give it to Captain Sadler for you. This is all mine to you.—Mine Titore.—To William, King of England." (Laughter and cheers.) That letter, Mr. Yate added, was forwarded to His Majesty through the Lords of the Admiralty. Some other extracts from letters were read by Mr. Yate, some of which expressed in forcible, yet simple language, the genuine workings of Christian affection and zeal—the various inward conflicts on the Christian life—the hopes by which Christians are cheered in the prospect of dissolution, and the anxiety of those who had received good through the instrumentality of the missionaries to have similar good imparted to their fellowmen. One of the letters was from an old man who had formerly accompanied Mr. Marsden, of New South Wales, from place to place, as his guide when he visited New Zealand. For eighteen years he had made a stubborn and resolute stand against the Gospel. "Say nothing to me," said he, "about Jesus Christ. I don't want to know or to hear any thing about God. I am quite satisfied to go on in my own way, provided I can have all I wish; and if I must go to hell when I die, I must. There are people about you—preach to them, if you will; talk to them about Jesus Christ, if you like; I don't want to hear any such talk." That man however, had been made willing in the day of God's power; he had built a chapel, in which some one preached every Sabbath the Gospel of salvation. (Cheers.) Mr. Yate read several other extracts, which excited deep interest. In drawing to a conclusion, he said, that, on the Sunday previous to his departure he admitted into the Church, by the rite of Christian baptism, sixty native New Zealanders, forty of whom were adults, the rest children. (Cheers.) He was compelled to add, that there [illegible] land, some of whom were natives, and some Europeans. They had used all possible means to do injury. They had established grog-shops, into which many had been enticed to drink the liquid fire. (Hear.) And recently they had brought in the aid of ventriloquism. (Hear, hear.) They had taken a native youth, and had initiated him in the mystery and then sent him to the chiefs, to inform them that all that the missionaries had taught them was a lie! The people were called together, and were told that the youth would work a miracle to prove that the missionaries had taught falsehoods. Owing either to the force of truth, or a failure of courage, or some other cause, the youth said, at the time appointed, "All that the missionaries have said is perfectly true; only they have made a mistake as to the day on which the people should worship. Saturday and not Sunday, is the proper day." He then called, first on a stone and then on a tree, to attest the truth of what he had said, from which objects sounds seemed to come in reply. The people were astonished, and some of them adopted the Saturday instead of the Sunday. That had created some little confusion for the time; but the thing had since fallen to the ground; the people had discovered the trick which had been practised to delude them, and were returning to their duty as it had been before prescribed. (Much cheering.)—*Record.*

BECKFORD'S RECOLLECTOINS.

THE FESTIVAL OF ST. ANTHONY.

Arrived at lenght at the point to which we had been tending, I fancied myself suddenly transported to Palestine. A plain perfectly flat and arid presented itself, diversified alone by the low-columned arcades and belfries of the convent, inclining to the ruinous, and bearing a strong resemblance in form and tint to the views I have seen of the semi-Gothic chapels and cells at Jerusalem and Nazareth. Scattered all over from one end to the other of this extensive level (for it stretched out above a mile), were droves of asses, a few mules of superior caste glaringly caparisoned, and peasants without numbers, of all ages and sexes, sitting in clusters upon the ground, employed as busily in gathering together the fragments of a general repast as if they had just partaken of some miraculous supply of loaves and fishes.

This was all mighty well, admirably adapted to prompt a desire of sketching, for nothing could be more picturesque than these varied groups; but the comfort of comforts was to witness how gratefully devout they appeared—how perfectly convinced that they stood under the open eye of the Saint, and that by acting in conformity with his precepts, they might deserve, at the inevitable hour, his efficacious patronage. In the meantime, I saw no tokens of riot or intemperance no brandishing of knives, no drunken disputes or wallowings.

When the bells of the convent gave notice that service was going to begin, the groups that were scattered over the plain rapidly joined together, and moved in one dense body, one vast multitude, six or seven thousand at least, to the wide naked space before the entrance to the church; which though not inconsiderable in its dimensions, was far too small to contain a twentieth part of so numerous a congregation.

The community, consisting of from thirty to forty monks, all young men, many with features, as regular as the fine Grecian headson the Syracusan medals, but looking pale and attenuated were standing on the long line of steps. Their superior presented the banner of the Saint to my revered companions; who having saluted it with profound reverence, we entered the church. I looked back from the portal upon the multitude, which extended itself like a sea to a great distance: all silent, all kneeling all with their moistened and glistening eyes (for many wept through religious fervour) fixed on the illumination which streamed from the high altar, and which appeared to them, I have no doubt, a cheering light, a sacred pharos, shining to conduct them to that haven where the ardent in faith and the contrite in spirit meet their eternal reward.

"Oh!" said the excellent Prior of Aviz to me, as he pressed my hand with parental kindness, "this is a sight which relieves and elevates my heart. How glowing and sincere the piety of plain countrymen! how consolatory their firm confidence in protection from above! And yet these warm, ennobling feelings—feelings which raise our nature above the dust—are precisely those the vile sycophants of the Evil principle, the blood stained monsters of France, pant to eradicate. The suppressors of institutions which tend often to those lacerating cares humanity is subject to and to absorb in the glorious prospect of the future the corroding misery of the present, are, in fact, suppressors of happiness,—the delegates of that dread invisible agency, which, under an endless variety of specious masks, is ever in movement, seeking whom and what it may devour.

Not one word had I to say against this reasoning; for how often have I thought myself, that those experiments upon the human mind, to which the Prior of Aviz alluded, are as abhorent to men of pure and kindly feeling, as those of the hellish Majendie upon the unoffending animals he submits to the most horrible and lingering torture, and for purposes equally problematical.

The "Ite, missa est" having been pronounced, the Prior of Aviz, trembling with emotion and evidently much affected, was conducted in procession by the monks to their sacristy, to put on his pontifical vestments; and next to the steps, before the entrance, where, looking up to the effigy on the banner, again displayed by the [illegible] ately delegated by the Saint himself to perform that sacred office, a solemn heartfelt benediction.

At that moment, when every knee was bent and every head was bowed, the ancient and venerable hymn appointed for this festival, so dear to the natives of Portugal, so often sung by their armies in their proud days of conquest on the eve of going into battle, rose with one accord, as from one heart, from the whole of the vast assemblage. The perfect unison of so many thousand manly voices, mingled with the clearer tones of children and their mothers, filled the summer air with a volume of sound more intellectually harmonious than any which ever reached my ear from the artificial efforts of musicians and choristers. Prayer does not always ascend with the greatest fervency from beneath gilded vaults or gorgeous cupolas; it is in the free, untainted desert, under Nature's own sky, that man seems to commune more deeply, to his God. Impressed with that sentiment the bare rocks, the scattered stones, the withered turf, ranked higher in my estimation than all the splendours of regal magnificence; and congregation assembled together in the wild and desolate place to thank the Almighty for his blessings appeared far superior in my eyes to those pharisaic gatherings attracted to church by worldly motives and the parade of idle vanity.

THE PUERTA DEL SOL-MADRID.

There, take that chair upon the balcony, and let us look down upon the busy scene beneath us. What a continued roar the crowded thoroughfare sends up! Though three stories high, we can hardly hear the sound of our own voices. The London cries are whispers when compared with the cries of Madrid.

See, yonder stalks a gigantic peasant of New Castile, with a montera cap, brown jacket and breeches, and coarse blue stockings, forcing his way through the crowd, and leading a donkey laden with charcoal, whose sonorous bray is in unison with the harsh voice of his master. Close at his elbow goes a rosy-cheeked damsel selling calico. She is an Asturian, from the mountains of Santander. How do you know? By her short yellow petticoats, her blue boddice, her coral necklace and ear-rings. Through the middle of the square struts a peasant of Old Castile, with his yellow leather jerkin strapped round his waist, his brown leggins and his blue garters, driving before him a set of gabbling turkies, and crying, at the top of his voice, "Pao, pao, pavitos, paos!" Next comes a Valentian, with his loose linen trousers and sandal shoon, holding a huge sack of water-melons upon his shoulder with his left hand, and with his right balancing high in air a specimen of his luscious fruit, upon which is perched a little pyramid of the crimson pulp, while he tempts the passers-by with "A cala, y calando; una sandia vendo-o-o. Si esto es sangree!" (By the slice—come and try it—water-melon for sale. This is the real blood!) His companion near him has a pair of scales thrown ever his shoulder, and holds both arms full of musk-melons. He chimes into the harmonious ditty with the "Melo—melo-o-o—meloncitos; aqui esta la azucar!" (Melons, melons; here is the real sugar!) Behind them creeps a slow moving Asturian, in heavy wooden shoes, crying water-cresses; and a peasant woman from the Guadarama Mountains, with a montera cocked up in front, and a blue kerchief tied under her chin, swings in each hand a bunch of live chickens, that hang by the claws, head downwards, fluttering, scratching, crowing with all their might, while the good woman tries to drown their voices in the discordant cry of? "Quien me compra un gallo—un pat de gallinas?" (Who byes a cock—a brace of hens—who buys?) That tall fellow in blue, with a pot of flowers upon his shoulder, is a wag, beyond all dispute. See how cunningly he cocks his eye up at us, and cries, "Si yo tuviera balcon!" (If I only had a balcony!)

What next? A Manchego, with a sack of oil under his arms, a Gallego, with a huge water-jar upon his shoulders; an Italian pedlar, with images of saints and Madonnas; a razor-grinder, with his wheel; a mender of pots and kettles, making music as he goes, with a shovel and a frying pan; and, in fine, a noisy, patch work, ever-changing crowd, whose discordant cries mingle with the rumbling of wheels, the clatter of hoofs, and the clang of church-bells, all make the Puerta del Sol, at certain hours of the day, like a street in Babylon the Great.—*Spectator.*

AN ENGLISHMAN NOW GOVERNOR OF ROBINSON CRUSOE'S ISLAND.

The following is an extract from an interesting letter just received by a gentleman in Liverpool, from Mr. Sutcliffe (a native of Lancashire, and son of Mrs. Davenport, now of Godley-hall, near Hyde, Cheshire), who holds an official situation in the island of Juan Fernandez. Mr. Sutcliffe, we believe, distinguished himself at the battle of Waterloo, and has since been for some years in the service of Spain:—Island of Juan Fernandez, South Pacific Ocean, December 10, 1834.—Dear Sir,—You perhaps never dreamt of my addressing you from this island, but strange as it may appear, you will receive these few lines from the Military and Poltical Governado. It is more than three months that I have had the honour of that title, and as an opportunity offers by a vessel leaving here for Chili, I send this to inform you of my emigration from the Cordillera of the Andes to the Pacific Ocean. Little did I ever think when a youngster, whilst perusing that insinuating book written by Daniel Defoe, that I should ever read it on the island, and be the first governor from our native soil However, fate has so ordained it. There are three islands, and about 400 inhabitants including the troops: and I have no doubt but that the population will increase, as all the political and criminal exiles are sent to people this island, and over which I have a limited sway. In fact, I may repeat what is said of Alexander Selkirk—"I am monarch of all I survey. The climate is delightful, it is a continual spring; and as I am fond of field sports, there is plenty of occupation. There is an abundance of the most delicious fish, and plenty of birds, not forgetting an amazing quantity of goats and seals, which we kill for their skins. There is a rare shell, the Paper Nautilus, of which I shall send you a few. I hopes this will find you in good health— this leave me in the best. When you write, send me all the news you can; and if convenient, a few papers, ar any thing in this retired spot will help to drive away a dull hour. If any of the vessels from Liverpool that are bound for the Pacific, should be in want of wood, water, or refreshments, they may be sure of a supply whilst I am in the island. They need not come to anchor, but send their boats into Cumberland Bay, where I have made a mole and excellent watering place. Wood is always ready cut, as the South Sea whalers are continually calling in for supplies."—*Liverpool Chronicle.*

EAST INDIA SHIPPING.

(*From the Morning Chronicle, July 9.*)

His Majesty's Ship Melville, from Bombay, has arrived off Falmouth, sailed 17th March, from Cape of Good Hope 12th May, and from Ascension 1st June; the Duke of Northumberland, from Bengal, has arrived off the Isle of Wight, sailed from Calcutta 14th February, from Saugor 19th, from the Cape 26th April, and from St. Helena 4th May; the Euphrates, from Bengal, has arrived at Liverpool, sailed from Calcutta in February, from Sangor 22d, and from St. Helena 13th May; the Cacique, from the Cape of Good Hope, has arrived off Portsmouth, sailed from the Cape 23d April, and from St. Helena 14th May; the Mary, from VanDieman's Land, has arrived off the Isle of Wight, sailed from Hobart Town 8th February; the Abel Gower, from China, has arrived in the Downs, sailed 16th February, and from St. Helena 10th May; the Asia, from Bengal, has arrived in the Downs, sailed from Calcutta in January, from Saugor 22d, from Madras 15th February, from the Cape 12th April, and from St. Helena 29th April; the Orwell, from China, has arrived off Portsmouth, sailed 5th March, and from St. Helena, 24th May; the St. Lawrence, from the Mauritius, has arrived in the Downs, sailed 14th February, and from St. Helena 27th April; the Ellen, from Van Dieman's Land, has arrived in the Downs, sailed from Hobart Town 17th Feb. the Edinburgh, from New South Wales, has arrived at Liverpool, sailed from Sydney 16th March; the Tickler, from Batavia, has arrived at Cowes, sailed 17th February, and from St. Helena 16th May; the Gledstanes, from the South Seas, has arrived in the Downs; the Thomas Dougall, from Singapore, has arrived at Liverpool, sailed 3d December, 1834, and from the Cape 3d January; the Hebe, from Manilla, has arrived off Hastings, sailed 12th February, and from St. Helena 14th May; the Princess Victoria, from New South Wales, has arrived at Liverpool, sailed 28th February; the Mary, from the South Seas, has arrived in the Downs.

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